

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

TRANSAMERICA LIFE INSURANCE CO.

PLAINTIFF

v.

4:08-CV-04147-WRW

DANIEL E. JUND, INDIVIDUALLY, *et al.*

DEFENDANTS

ORDER

Pending is Defendants' Motion to Compel Arbitration (Doc. No. 4). On January 23, 2009, the parties filed a Stipulation to Stay Litigation Pending Outcome of Arbitration¹ in which the parties agree that Defendants' Motion to Compel Arbitration should be denied without prejudice as moot. Accordingly, Defendants' Motion (Doc. No. 4) is DENIED without prejudice as MOOT. Pursuant to the Parties' Stipulation,² this case is stayed pending a final decision from arbitration. United States Magistrate Judge Thomas J. Ray will remain available to facilitate any settlement conference following the stay of this case; the Parties are directed to inform United States District Judge William R. Wilson if a settlement conference is needed.

IT IS SO ORDERED this 26th day of January, 2009.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹Doc. No. 14.

²*Id.*