

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

**TIMOTHY BUTLER**

**PLAINTIFF**

**v.**

**CASE NO. 4:10cv00255 BSM**

**DOLGENCORP, INC., et al.**

**DEFENDANTS**

**ORDER**

Plaintiff, Timothy Butler (“Butler”) moves to stay all proceedings pending a decision by the Multi-District Litigation Panel (“MDL Panel”) on a motion to re-open, transfer and consolidate pre-trial matters pursuant to 28 U.S.C. § 1407. [ Doc. No. 18]. Defendants oppose the motion. [Doc. No. 20]. The motion is granted.

Butler maintains that staying the case will serve judicial economy and efficiency. In their response defendants cite to their brief in opposition to plaintiff’s MDL motion. They further argue that a stay will not promote efficiency because the action has been pending for years and has already been transferred once. The only discovery remaining are depositions that will likely take place in Arkansas. Additionally, defendants assert that this court will decide all merits-related determinations. They conclude that the delay is for delay’s sake.

Butler’s motion to stay [Doc. No. 18] is granted. The parties shall advise the court in writing immediately upon an action taken by the MDL Panel with regard to this case.

IT IS SO ORDERED this 28th day of May, 2010.

  
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UNITED STATES DISTRICT JUDGE