

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

THOMAS W. YOUNG

PLAINTIFF

v.

No. 2:09-CV-02148

WON B. KIM; PACIFIC CARGO SERVICES,
INC., D/B/A Pacific Cargo Services;
OLGA M. DEPADILLA; LEODIS BURGESS;
ML&S TRUCKING, INC.; MARCUS D.
MORRIS; CELLULARMART; JAY YOON;
ROY CHEONG d/b/a Pacific Cargo Services and
EXPRESS CONNECTION, INC.

DEFENDANTS

ORDER

Currently before the Court is a Motion for Continuance and/or Stay (Doc. 95) filed by separate Defendants Won B. Kim, Olga M. DePadilla, Cellularmart, Jay Yoon, and Express Connection, Inc. as well as Responses filed by ML&S Trucking, Inc. (Doc. 96), Marcus D. Morris (Doc. 97), and Thomas W. Young (Doc. 98). The Motion states that the insurance carrier that insured the vehicle that was being driven by Olga M. DePadilla at the time of the accident which is the subject of this case is currently under regulatory financial review and unable to pay claims or litigation-related expenses. From a review of the responses to the Motion, all parties except Pacific Cargo Services, Inc. and Roy Cheong have filed responses indicating that they are in agreement that this case should be postponed until the issues involving this insurance company are resolved. The attorney for Pacific Cargo Services, Inc. and Roy Cheong, J. Barrett Deacon, has advised the Court that his clients do not object to the Motion.

Upon due consideration, IT IS THEREFORE ORDERED that the Motion to Stay (Doc. 95) is GRANTED. IT IS FURTHER ORDERED that this case be removed from the trial docket of

October 3, 2011, and ADMINISTRATIVELY TERMINATED without prejudice to the right of the parties to reopen the proceedings upon resolution of the issues addressed in the Motion.

IT IS SO ORDERED this 23rd day of August, 2011.

P. K. Holmes, III

P.K. HOLMES, III
UNITED STATES DISTRICT JUDGE