

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

ISAAC WILEY

PLAINTIFF

vs.

Case No. 08-3056

WAYNE HICKS, et al.

DEFENDANTS

PULASKI BANK AND TRUST
CO. and FEDERAL DEPOSIT
INSURANCE CORP., as Receiver
for ANB Financial, N.A.

GARNISHEES

BENTLEY INVESTMENTS OF NEVADA, LLC

INTERVENOR

O R D E R

On October 7, 2008, this action was stayed pending the plaintiff's exhaustion of his administrative remedies. (Doc. 5.) Plaintiff now moves to re-open the action (Doc. 10), asserting that the FDIC disallowed his claim, thereby concluding the exhaustion of his administrative remedies. No opposition has been filed to the motion to re-open.

Upon due consideration, plaintiff's **Motion to Re-Open (Doc. 10)** is hereby **GRANTED**. It is unclear how this action should proceed at this juncture. Specifically, it is unclear whether discovery is necessary and how long it might take. It is also unclear whether the case can be disposed of by dispositive motions, or whether a hearing or trial is necessary.

Accordingly, the parties are directed to confer and, within 14 days of the date of this order, submit a joint proposal to the Court addressing the above issues and setting forth proposed deadlines. If the parties cannot agree on how this action is to proceed, they are directed to file separate proposals.

IT IS SO ORDERED this 13th day of March, 2009.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE