

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

EDDIE BASHAM, as administrator
of the estate of James Basham, and
FREDA MCCLENDON, individually
and as class representatives on behalf
of all similarly situated persons

PLAINTIFFS

V.

CASE NO. 4:12-CV-4005

AMERICAN NATIONAL COUNTY
MUTUAL INS. CO., *et al.*

DEFENDANTS

ORDER

Before the Court is an Agreed Motion to Stay filed on behalf of Plaintiffs and Certain Defendants. (ECF No. 227). Defendants who did not join the motion have filed a response in opposition. (ECF No. 231). The matter is ripe for the Court's consideration.

On October 23, 2013, the Court issued an Order denying Plaintiffs' Motion to Remand. (ECF No. 225). On November 4, 2013, Plaintiffs filed a Petition for Leave to Appeal the Court's order to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 1453(c). (ECF No. 228). The movants request that this litigation be stayed until 30 days after the Eighth Circuit has ruled on Plaintiffs' petition, and if the petition is accepted, until 30 days after the Eighth Circuit has ruled on the ensuing appeal.

Upon consideration, the Court finds that good cause for a stay of proceedings has been shown. Accordingly, the motion (ECF No. 227) should be and hereby is **GRANTED in part** and **DENIED in part**. This case is hereby stayed until 7 days after the Eighth Circuit has ruled on Plaintiffs' petition for leave to appeal. If the petition is accepted, this case is stayed until 7 days after the Eighth Circuit has ruled on the appeal.

IT IS SO ORDERED, this 14th day of November, 2013.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge