

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

WILLIAM KELLER, DEBRA KELLER,  
and PEGGY BYRGE, individually and on  
behalf of all others similarly situated

PLAINTIFFS

v.

Case No. 4:14-cv-04002

FCOA, LLC d/b/a FOREMOST  
INSURANCE COMPANY

DEFENDANT

**ORDER**

Before the Court is the Unopposed Joint Motion to Lift Stay and Enter Final Judgment Disposing of Claims of Plaintiffs William Keller and Debra Keller. (ECF No. 66).

This case was filed in November 2013. Class counsel became aware that the Plaintiffs William Keller and Debra Keller had a Chapter 13 bankruptcy proceeding pending in Arkansas Bankruptcy Court which was instituted April 19, 2012. A potential claim against Defendant FCOA was not listed as an asset of the bankruptcy estate.

On May 12, 2015, the Court stayed the case for a period of 45 days to allow the parties to address certain matters in Bankruptcy Court. That stay expired June 26, 2015. The Court renewed the stay for such a time as the matters could be ruled on by the Bankruptcy Court. (ECF No. 61). Thereafter, the Court permitted the standing Chapter 13 Trustee, Jack W. Gooding, to intervene as a party plaintiff. (ECF No. 64). Since that time, the Trustee and Defendants have negotiated a settlement of the Kellers' claims.

The stay in this case was imposed to permit resolution of the bankruptcy matters. Because the Trustee, with Bankruptcy Court approval, has now settled those claims, there is no continuing reason to stay this case.

Accordingly, the Court finds that good cause has been shown to lift the stay in this case. The Kellers' claims are dismissed in accordance with the parties' settlement. Fed. R. Civ. P. 54(b). The claims of the remaining Plaintiff, Peggy Byrge, will proceed.

**IT IS SO ORDERED**, this 8th day of January, 2016.

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