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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CAROLINA CASUALTY  
INSURANCE COMPANY,

Plaintiff,

v.

JONES HELSLEY, PC, et al.,

Defendants.

CASE NO. 1:10-cv-916-LJO-MJS

ORDER DENYING, WITHOUT PREJUDICE,  
MOTION TO AMEND,

(ECF No. 44)

MARCH 18, 2011 HEARING IS CANCELLED

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On November 22, 2010, Defendants/Counterclaimants filed a Motion to Amend their Counterclaims against Plaintiff. Plaintiff filed opposition on December 30, 2010 and Defendants filed a reply on January 7, 2011.

The Motion to Amend is now taken under submission; the March 18, 2011 hearing on the Motion is cancelled.

On January 13, 2011, the undersigned issued Findings and Recommendation that the instant action be stayed. (ECF No. 66.) Given the pending Motion to Stay, the Court need not address the Motion to Amend at this time. Defendant/Counterclaimant's Motion to Amend is DENIED without prejudice to it being refiled if the stay is denied or, if a stay is ordered, once the stay is lifted.

IT IS SO ORDERED.

Dated: January 14, 2011

*1st. Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE