



Motion for Partial Summary Judgment filed March 24, 2008, is also silent. Despite the court's March 25, 2008 Order for counsel to "promptly" schedule oral argument requested by plaintiff in its December 21, 2007 Motion, no agreed-upon date or inability to reach agreement on a date has been reported to the court. The court has devoted considerable effort in drafting the resolution of that Motion, assuming that since plaintiff filed the Motion, appropriate authority to do so had been obtained. If plaintiff's Motion was, is, or will be stayed, the court should have been advised.

Accordingly, it is **ORDERED** that:

(1) Plaintiff shall file a Status Report on the automatic stay and the position of the Florida Department of Financial Services as Receiver regarding the proceedings before the undersigned, including the Motion for Partial Summary Judgment, on or before **June 11, 2008**.

(2) The Status Report shall also advise as to whether the Receiver should be substituted as plaintiff in this action.

(3) Defendant may file a Response to the Status Report on or before **June 16, 2008**.

(4) Pending the filing of the Status Report and any Response, Plaintiff's Partial Motion for Summary Judgment, filed December 21, 2007 and oral argument scheduling, is **STAYED**.

s/James F. Merow  
James F. Merow  
Senior Judge