

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

**STACEY SUE BERLINGER, BRIAN
BRUCE BERLINGER and
HEATHER ANNE BERLINGER, as
Beneficiaries to the Rosa B. Schwiker
Trust and all of its related trusts**

Plaintiffs,

V.

Case No: 2:11-CV-459-FtM-UASPC

**WELLS FARGO, N.A. AS
SUCCESSOR TO WACHOVIA
BANK, N.A.**

Defendant.

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ORDER

This matter comes before the Court on Plaintiffs' Emergency Motion to Stay Proceedings, to Quash Notices of Deposition, and Protective Order (Doc. #49) filed on December 6, 2011. Wells Fargo Bank, N.A.'s Response to Plaintiffs' Emergency Motion to Stay Proceedings, to Quash Notices of Deposition, and Protective Order (Doc. #53) was filed on March 20, 2012. Plaintiffs request that this matter be stayed pending the Court's ruling on Plaintiffs' Motion to Disqualify Amy S. Rubin, Esq. and the Law Firm of Fox Rothschild (Doc. #48). Defendant does not object to this action being stayed for a period of 90 days following the Court's ruling on the Motion to Disqualify.

For good cause shown, the request to stay is due to be granted. This matter will be stayed for a period of time until the Court rules on the Motion to Disqualify. The Parties are directed to

submit a new joint case management report with new proposed dates that will govern the remainder of this action within 10 days of this Court's ruling on the Motion to Disqualify. The request to quash the notices of depositions that are currently scheduled for March 23, 2012, April 17, 2012, and April 18, 2012, is also granted. These depositions may be re-noticed, if appropriate, after the Court has ruled on the Motion to Disqualify. The Court will set the Motion to Disqualify for hearing under separate cover.

Accordingly, it is now

ORDERED:

- (1) Plaintiffs' Emergency Motion to Stay Proceedings, to Quash Notices of Deposition, and Protective Order (Doc. #49) is **GRANTED**.
- (2) The Parties are directed to submit a new joint case management report with new proposed dates that will govern the remainder of this action within **10 days** of the Court's ruling on the Motion to Disqualify.

DONE and ORDERED in Fort Myers, Florida this 20th Day of March, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record