

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

MICHELLE ROBERTSON,

Plaintiff,

v.

CASE NO. 8:17-cv-1077-26-T-MAP

NAVIENT SOLUTIONS, LLC,

Defendant.

ORDER

UPON DUE AND CAREFUL CONSIDERATION of the procedural history of this case, including the allegations of Plaintiff's complaint which allege in part that Defendant violated the Telephone Consumer Protection Act in part by utilizing a prerecorded voice, it is **ORDERED AND ADJUDGED** that Defendant's Motion to Stay Proceedings (Dkt. 20) is **denied**. The Court aligns itself with those cases that have denied a stay pending resolution of the ACA Appeal pending before the District of Columbia Circuit Court of Appeals "when the plaintiff also alleged that the phone calls contained a prerecorded voice." Griffin v. Nationstar Mortg. LLC, 2017 WL 3648981, at *2 (S. D. Miss. Aug. 23, 2017) (citing and quoting Owens-Benniefield v. Nationstar Mortg. LLC, 2017 WL 1426720, at *5 (M. D. Fla. Apr. 21, 2017)).

DONE AND ORDERED at Tampa, Florida, on September 22, 2017.

s/Richard A. Lazzara

**RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE**

COPIES FURNISHED TO:

Counsel of Record