

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

ST PAUL FIRE AND MARINE INSURANCE COMPANY,

Plaintiff,

v.

CASE NO. 1:04-cv-00067-MP-WCS

LIMEROCK INDUSTRIES INC, WHITE CONSTRUCTION COMPANY INC,

Defendants.

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**ORDER**

This matter is before the Court on an administrative order reassigning the case, Doc. 180. A hearing was held on April 20, 2010, to discuss the status of the case. The parties have agreed that the majority of the issues to be litigated between them will be handled in state court, where there is a hearing on their motions for summary judgment scheduled for May 14, 2010, and where the litigation is scheduled to go to trial in the December trial term.

The issue that remains outstanding is whether the state court judge will award attorney's fees to either party for the work done litigating the issues in federal court. If the state court judge declines to consider the work the parties' attorneys have performed in federal court in his consideration of fees, the parties may wish to litigate in federal court whether fees should be awarded for the work performed here. Accordingly, until the matter is concluded in state court, this case will remain STAYED.

The parties shall continue to keep the court apprised of the status of the the state court proceeding as they pertain to the remaining issue of fees and costs for work performed in this court.

**DONE AND ORDERED** this 22nd day of April, 2010

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge