

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

PRESCOTT ARCHITECTS, INC., ET AL

VS

CASE NO. 3:08cv532 MCR/EMT

LEXINGTON INSURANCE COMPANY

REFERRAL AND ORDER

Referred to Judge Rodgers on January 6, 2009
Type of Motion/Pleading: MOTION TO ABATE OR CONTINUE COMPLIANCE
DEADLINES SET FORTH IN 12/1/08 INITIAL SCHEDULING ORDER and SUPPLEMENT
TO MOTION

Filed by: Defendant on 12/16/08 Document 7-8
12/17/08

() Stipulated/Consented/Joint Pleading

RESPONSES:

_____ on _____ Doc.# _____

WILLIAM M. McCOOL, CLERK OF COURT

/s/ Lynn C. Uhl

Deputy Clerk: Lynn Uhl

ORDER

Upon consideration of the foregoing, it is ORDERED this 12th day of January, 2009, that:

The requested relief is GRANTED, to the extent the deadlines set forth in the court's December 1, 2008, scheduling order are STAYED, until further notice.

The court also addresses the following. Prior to the removal of this case from state court plaintiffs filed a motion to stay arbitration proceedings and for an expedited hearing; defendant filed a motion to compel arbitration, stay the proceedings, and to dismiss and/or strike plaintiffs' complaint. These motions were not heard in state court and remain pending. Both motions are DENIED, without prejudice to their electronic refiling in this court.

By January 26, 2009, the parties shall advise the court of the current status of this matter, including an explanation as to why it warrants expedited treatment and why a hearing or oral argument is necessary to resolve the issues presented.

s/ *M. Casey Rodgers*

M. CASEY RODGERS

UNITED STATES DISTRICT JUDGE