IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

SECURE HEALTH PLANS OF GEORGIA, LLC, *et al.*,)))	
Plaintiffs,))	
v.))	CIVIL ACTION NO. 5:10-CV-417 (MTT)
DCA OF HAWKINSVILLE, LLC, f/k/a HAWKINSVILLE DIALYSIS CENTER,)))	
Defendant.))	

ORDER

This matter is before the Court on the Defendant's Motion to Compel Arbitration, to Dismiss or, Alternatively, to Stay (Doc. 5) (the "Motion"). For the following reasons, the Motion is granted in part and denied in part.

The Court set out the facts in this case in exhaustive detail in its previous Order (Doc. 12), entered November 22, 2010. Since the entry of that Order, the parties have proceeded to arbitration. The arbitrator made a determination as to liability, but left the issue of damages for later determination. The parties have informed the Court that a hearing on damages is scheduled for the end of March, and the parties expect a decision from the arbitrator sometime in April.

With one exception, all issues involved in this Motion were resolved by the Court's previous Order—that exception is whether to dismiss this declaratory judgment action. While the Court denied the Plaintiff's request to stay the arbitration, the Court did enjoin DCA from proceeding directly against Taylor in arbitration. Because of this injunction, it would be improper for the Court to dismiss this case at present. Therefore,

pursuant to 9 U.S.C. § 3, the Court will stay this case pending the conclusion of arbitration. The parties are ordered to update the Court periodically regarding the status of the arbitration and to notify the Court when the arbitration is concluded. At that time, the Court will conduct a status conference to determine what further action, if any, is needed.

Therefore, the Motion is **GRANTED** in part and **DENIED** in part. The Court grants the Defendant's request to stay this action, but denies the Defendant's request to dismiss the case and denies all other requests as moot.

SO ORDERED, this the 9th day of March, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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