

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

**MELISSA SIMPSON and  
SABRINA ROBERTS on behalf of  
themselves and all those similarly  
situated,**

Plaintiffs,

v.

**SANDERSON FARMS, INC., PERRY  
HAUSER, JEFF BLACK, DEMISHIA  
CROFT, ARISTIDES CARRAL-GOMEZ,  
JANIE PERALES, KARINA FONDON,  
and JENNIFER HARRISON BUSTER,**

Defendants.

Civil Action No. 7:12-CV-28 (HL)

**ORDER**

Currently pending in this case is a Motion to Dismiss (Doc. 41) filed by Defendants Sanderson Farms, Inc., Perry Hauser, Jeff Black, Demishia Croft, and Jennifer Harrison Buster. Discovery in the case has been stayed until the Court rules on the motion.

In their motion, Defendants rely in large part on the case of Walters v. McMahan, 795 F.Supp.2d 305 (D.Md. 2011), where the district court granted a Rule 12(b)(6) motion to dismiss in a RICO case against a poultry processing plant. The Court has closely reviewed Walters, which involves many of the same claims present in the pending case. In fact, the complaint which was dismissed in Walters includes some of the exact same language being challenged by

Defendants in this case, which is not surprising as the same attorneys represent the plaintiffs in both cases. Walters is currently pending on appeal before the Fourth Circuit. Oral argument was held in May of 2012. The Court finds it prudent to see what the Fourth Circuit decides in Walters before moving forward with a ruling on Defendants' motion. Thus, this case is stayed in its entirety until further order of the Court.

**SO ORDERED**, this the 27<sup>th</sup> day of June, 2012.

**s/ Hugh Lawson**  
**HUGH LAWSON, SENIOR JUDGE**

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