## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA AUGUSTA DIVISION

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JAMES ALIFF and SAVANNAH DIANNE *
MCNORRILL, on behalf of *
themselves and all others *
similarly situated, *
    Plaintiffs, *
* * *)
RESURGENT CAPITAL SERVICES and *
LVNV FUNDING, LLC, *
Defendants. *
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ORDER

On May 4, 2015, the Court stayed three cases on its docket pending the Eleventh Circuit Court of Appeals' decision in Johnson v. Midland Funding, LLC, No. 15-11240 (11th Cir. Mar. 24, 2015). ${ }^{1}$ Upon review, the Court finds that a stay is equally appropriate in this matter. Indeed, as Defendants point out in brief (Doc. 49), Plaintiffs' argument that "acceptance" of payments on a time-barred debt constitutes a violation of the Fair Debt Collection Practices Act ("FDCPA") separate and apart from filing the related time-barred proof of claim is identical to that presented in McNorrill v. Asset Acceptance, LLC, No. 1:14-cv-210 (S.D. Ga. Nov. 7, 2014). Defendants similarly raise a statute of limitations defense.

Nevertheless, the Court recognizes that the parties in this matter have not been afforded an opportunity to respond to the propriety of a

[^0]stay. For that reason, each party shall have SEVEN DAYS to file a response, if they wish, to the imposition of a stay. Failure to file a response within seven days shall indicate there is no opposition to the Court's proposed course of action.

ORDER ENTERED at Augusta, Georgia, this 5 th day of May, 2015.



[^0]:    1 Ford v. Quantum3 Group, LLC et al., No. 1:15-cv-031, Doc. 7; McNorrill v. Asset Acceptance, LLC, No. 1:14-cv-210, Doc. 29; Willis v. Cavalry Investments, LLC et al., No. 1:14-cv-227, Doc. 34.

