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U.S. DISTRICT COURT
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

MARYLAND CASUALTY COMPANY and)
FOREMOST SIGNATURE INSURANCE)
COMPANY,)

Plaintiffs,)

Civil Action

v.)

File No. 3:15-cv-00081-LGW-BKE

DUBLIN EYE ASSOCIATES, P.C.; DR. ROGER)
D. SMITH; and DR. JAMES Y. JONES,)

Defendants.)

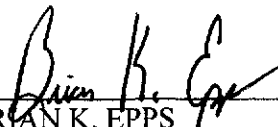
**ORDER ON JOINT MOTION TO STAY DISCOVERY AND TO
SCHEDULE FILING OF MOTIONS FOR PARTIAL SUMMARY JUDGMENT**

Currently before the Court is the Joint Motion to Stay Discovery and to Schedule Filing of Motions for Partial Summary Judgment, and, for good cause shown, the motion is hereby GRANTED. Discovery in this lawsuit is stayed pending the Court's consideration of motions for partial summary judgment on the sole issue of whether the Defendants' settlement of an award of attorney's fees in underlying litigation constitutes "malicious prosecution" as contained in the definition of "personal and advertising injury" in the insurance policies at issue in this lawsuit. The Parties are to file a Joint Statement of Undisputed Material Facts by April 6, 2016; their motions for partial summary judgment by April 27, 2016; and their responses by May 23, 2016. Reply briefs are to be filed by June 9, 2016.

Should the Court grant Plaintiffs Maryland Casualty Company and Foremost Signature Insurance Company's motion for partial summary judgment, the entire lawsuit will be resolved and there will be no future issues to litigate. Should the Court grant Defendant Dr. James Y. Jones' motion for partial summary judgment, discovery will reopen for a period of ninety days

running from the date of such order so that the parties can litigate the remaining arguments regarding coverage under the insurance policies at issue in this lawsuit, including, but not limited to, whether Dr. Jones provided timely notice of the claims at issue in this lawsuit and whether Dr. Jones is an "insured" under the Policies. Any remaining civil motions, including any subsequent motions for summary judgment, will be due thirty days later.

SO ORDERED this the 14th day of March, 2016.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

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