

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

PAT BEESLEY, et al.,

Plaintiffs,

v.

INTERNATIONAL PAPER COMPANY, et al.,

Defendants.

No. 06-703-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Defendants' Motion for Stay Pending Resolution of Appeal and Memorandum in Support of Motion (Doc. 332). Specifically, Defendants ask that the Court stay this case until the Seventh Circuit issues a ruling on the Defendants' appeal of this Court's class certification Order. This Court had previously *sua sponte* stayed this case pending the outcome of the appeal and then subsequently lifted the stay. Recently, however, the Seventh Circuit stayed proceedings in a similar case, ***Spano v. The Boeing Co., Case No. 06-CV-00743-DRH (S.D. Ill.)***, which is also pending before this Court and in which the appeal is substantially similar to the appeal in this case. Defendants now request that this Court also stay this proceeding in light of the stay in the *Spano* case. Plaintiffs have not filed a response to Defendants' motion. Therefore, based on the reasons set forth in the motion, the Court **GRANTS** Defendants' motion to stay and **STAYS** this case

pending resolution of the appeal before the Seventh Circuit.

IT IS SO ORDERED.

Signed this 18th day of February, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**