

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
AT LEXINGTON**

**LARRY HIGGINS, et al.,
Plaintiffs,**

V.

**BAC HOME LOANS SERVICING, LP,
et al.,
Defendants.**

CIVIL ACTION NO. 12-cv-183-KKC

OPINION AND ORDER

*** **

This matter is before the Court on the motion (DE 81) by the seven defendants to stay this matter pending the Court's ruling on their motion to certify for interlocutory appeal the Court's order of March 31, 2014 denying certain motions to dismiss. The defendants also request "expedited consideration" of their motion to stay.

The plaintiffs filed a response addressing only the request for expedited consideration of the motion to stay. They oppose expedited consideration and want 21 days to respond to the motion to stay as provided under the Local Rules.

The court sees no reason that the plaintiffs should require 21 days to respond to the motion to stay. Further, the Court will not require the defendants to answer the second amended complaint or respond to the motion to certify a class while the court is considering whether the March 31 order can be immediately appealed. Neither the answer nor the response is necessary at this point. The Court will not rule on the motion for class certification before ruling on the motion for interlocutory appeal.

Accordingly, the Court hereby ORDERS as follows:

1) the defendants' motion to stay this matter (DE 81) pending the Court's resolution of the motions for interlocutory appeal is GRANTED; and

2) this matter is STAYED until resolution of the motions for interlocutory appeal.

Dated this 21st day of April, 2014.



Karen K. Caldwell

KAREN K. CALDWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY