IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION 2:09cv24

JOHN BENI,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
YAMAHA MOTOR CORPORATION,)	
U.S.A., a California corporation;)	
YAMAHA MOTOR MANUFACTURING)	
CORPORATION OF AMERICA, a Georgia)	
corporation; and YAMAHA MOTOR)	
CORPORATION, LTD., a foreign)	
corporation,)	
)	
Defendants.)	
)	

THIS MATTER is before the court on defendants' Motion to Stay Proceedings Pending the MDL Panel's Decision Regarding Transfer. Having considered defendants' motion and reviewed the pleadings, and it appearing that defendants have not reflected consultation with opposing counsel as required by the Local Civil Rules, L.Cv.R. 7.1(B), the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendants' Motion to Stay Proceedings Pending the MDL Panel's Decision Regarding Transfer (#12) is **DENIED** without prejudice. Counsel for defendants is advised that the Local Civil Rules apply to potential MDL cases until such matters are transferred.

Signed: April 24, 2009

ennis C. Hawell

Dennis L. Howell United States Magistrate Judge

