

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**MARGARET M. SHIMON, wife of/and
PATRICK SHIMON, ET AL.**

**CIVIL ACTION
NO. 05-1392**

VERSUS

SECTION B

**SEWERAGE & WATER BOARD OF
NEW ORLEANS, ET AL.**

MAGISTRATE 3

ORDER

Before the Court is Defendant's Motion to Reconsider the December 14, 2007 Order on Motion to Remand or In the Alternative, Require SWB to Waive Eleventh Amendment Immunity (Rec. Doc. No. 1343),

IT IS ORDERED that the Stay (Rec. Doc. No. 1265) will not be lifted in order to Reconsider the portion of the Court's December 14, 2007 Order (Rec. Doc. No. 1343) regarding Eleventh Amendment Immunity. The Motion to Reconsider not only rehashes arguments made in the Motion to Remand (Rec. Doc. No. 1309), but it also fails to involve the pending appeal of the July 24, 2006 Opinion (Rec. Doc. No. 593) and the April 30, 2007 Order (Rec. Doc. No. 1228), matters for which stay may be lifted.

New Orleans, Louisiana, this 31st day of January, 2008.



IVAN L. R. LEMELLE
UNITED STATES DISTRICT COURT