

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

FILED  
U.S. DIST COURT  
MIDDLE DISTRICT OF LA

2009 FEB 11 P 4:01

RAYMOND ABDEL JORDAN

VERSUS

MMR CONSTRUCTORS, INC.

CIVIL ACTION

BY DEPUTY CLERK

NO. 08-485-JJB

**NOTICE AND ORDER**

Plaintiff has requested (docs. 26 and 27) that the court convert defendants' motion to dismiss (doc. 23) to a motion for summary judgment and that plaintiff be given an extension of time to conduct discovery prior to filing his opposition. In an abundance of caution and in the interest of avoiding unnecessary procedural issues;

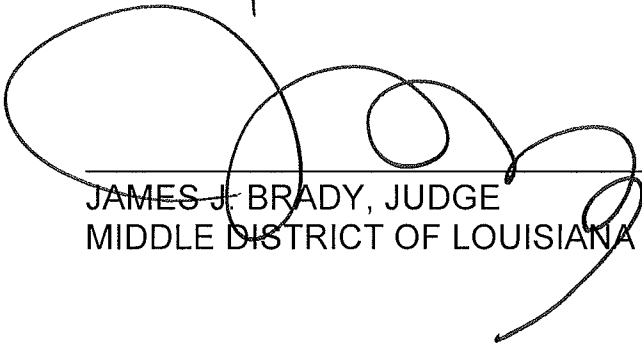
IT IS HEREBY ORDERED that the motion to dismiss or to compel arbitration or to stay (doc. 23) be removed from the court's docket. Following completion of discovery on the arbitration issues,<sup>1</sup> defendants may reurge the matter by filing a motion for summary judgment. At which time, plaintiff will have 20 days to file an opposition and defendants will have 15 days thereafter to file a reply.

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<sup>1</sup> Any disputes as to the timing or completion of discovery on the arbitration issues shall be promptly submitted to the magistrate judge.

This order terminates the aforesaid motions (docs. 23, 26 and 27).

Baton Rouge, Louisiana, February 17<sup>th</sup>, 2009.



JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA