

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

COREY BARNES AND  
KRISTEN WALKER

CIVIL ACTION

VERSUS

PROGRESSIVE PALOVERDE  
INSURANCE COMPANY AND  
LAFARGE NORTH AMERICA

NO.: 16-00817-BAJ-EWD

RULING AND ORDER

Before the Court are the **Motion to Remand (Doc. 4)** and the **Motion to Stay All Deadlines Pending Completion of Discovery (Doc. 13)** filed by Corey Barnes and Kristen Walker (collectively “Plaintiffs”). In the Motion to Stay, Plaintiffs request that the Court indefinitely postpone “all deadlines pending the completion of discovery” for fear that Plaintiffs might be prejudiced without the stay. (Doc. 13). Progressive Paloverde Insurance Company and Lafarge North America (collectively “Defendants”) filed a memorandum in response, objecting to Plaintiffs’ request for a stay. (Doc. 14).

On February 17, 2017, the United States Magistrate Judge issued a Report and Recommendation (Doc. 7), pursuant to 28 U.S.C. § 636(b)(1), addressing Plaintiffs’ Motion to Remand. In the Report and Recommendation, the Magistrate Judge recommends that, because Defendants have adequately demonstrated that the requirements of 28 U.S.C. § 1332(a) are satisfied, the Motion to Remand be denied and this action proceed in a federal forum. (*See* Doc. 7).

Pursuant to 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72, the parties had fourteen (14) days from the date they received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. Plaintiffs timely filed objections to the Report and Recommendation, wherein they re-urged the same arguments contained in the Motion to Remand and previously addressed by the Magistrate Judge. (*See* Doc. 11).

Having carefully considered the Petition, the Motion to Remand, and other relevant documents, the Court **APPROVES** the Magistrate Judge's Report and Recommendation, and hereby **ADOPTS** the findings of fact, conclusions of law, and recommendations therein.

Accordingly,

**IT IS ORDERED** that the Magistrate Judge's **Report and Recommendation (Doc. 7)** is **ADOPTED** as the Court's opinion herein.

**IT IS FURTHER ORDERED** that the **Motion to Remand (Doc. 4)** filed by Corey Barnes and Kristen Walker is **DENIED**.

**IT IS FURTHER ORDERED** that the **Motion to Stay All Deadlines Pending Completion of Discovery (Doc. 13)** filed by Corey Barnes and Kristen Walker is hereby **REFERRED** to the United States Magistrate Judge for resolution.

Baton Rouge, Louisiana, this 5<sup>th</sup> day of May, 2017.



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**BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**