

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTSMAC S. HUDSON, et al.,  
Plaintiffs,

v.

CIVIL ACTION NO.  
11-12173-NMGLUIS SPENCER, et al.,  
Defendants.

REPORT AND RECOMMENDATION RE:  
MOTION FOR JUDGMENT BY DEFAULT OR ALTERNATIVELY MOTION TO COMPEL  
AN ANSWER TO THE COMPLAINT (DOCKET ENTRY # 38) AND MOTION TO  
DISMISS (DOCKET ENTRY # 31)

MEMORANDUM AND ORDER RE:  
MOTION TO STAY THE MOTION TO DISMISS UNTIL THE OUTCOME OF THE  
MOTION FOR JUDGMENT BY DEFAULT OR ALTERNATIVELY MOTION TO COMPEL  
AN ANSWER TO THE COMPLAINT  
(DOCKET ENTRY # 39)

July 31, 2013

BOWLER, U.S.M.J.

Pending before this court are: (1) a motion to dismiss (Docket Entry # 31); (2) a motion for judgment by default or alternatively a motion to compel an answer to the complaint (Docket Entry # 38); and (3) a motion to stay the motion to dismiss until the outcome of the motion for judgment by default or alternatively a motion to compel an answer to the complaint (Docket Entry # 39).

PROCEDURAL BACKGROUND

On December 8, 2011, plaintiffs Mac Hudson ("plaintiff Hudson"), Faradan Salahuddin, Edgar Rock ("plaintiff Rock"),

*After consideration of Plaintiff's objection thereto (Docket No. 46),  
Report and Recommendation is accepted and adopted.*

*JM Gordon, USDJ 8/17/13*