

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

RONALDO DESIGNER JEWELRY, INC.

PLAINTIFF

V.

NO. 1:17-CV-2-DMB-DAS

**JAMES B. COX, and
CATHERINE A. COX
d/b/a JC DESIGNS
d/b/a WIRE N RINGS and
JOHN DOE a/k/a LEROY and
JOHN DOES Numbers 1 through 99**

DEFENDANTS

ORDER

On February 9, 2017, the Court issued an order (1) setting a schedule for discovery regarding the preliminary issues of personal jurisdiction and venue raised by the defendants in their motions to dismiss and (2) staying briefing on all other issues pending a ruling by the Court on whether personal jurisdiction over the defendants exists and whether venue is proper.

On February 21, 2017, the Court, pursuant to notice, convened a telephonic conference regarding the status of the personal jurisdiction and venue issues. During the conference, the defendants advised that they now concede the issues of personal jurisdiction and venue and, accordingly, wish to drop the portions of their pending motions to dismiss challenging personal jurisdiction and venue. In light of the defendants' concession, the Court and the parties discussed the refiling of the motions to dismiss to allow the defendants to indicate their concessions on the record, the schedule for briefing on the defendants' refiled motions to dismiss, the schedule for the completion of briefing on the plaintiff's renewed motion for a temporary restraining order, and optional hearing dates. Based on such discussion, it is

ORDERED:

1. The stay of briefing on all issues other than personal jurisdiction and venue raised by pleading and/or motion is lifted.

2. By February 23, 2017, the defendants may refile their motions to dismiss¹ without the portions challenging personal jurisdiction and venue. Any response by the plaintiff shall be filed within fourteen (14) days of the refile of the motions to dismiss. Any reply by the defendants shall be filed within seven (7) days of the filing of the plaintiff's response.

3. By March 9, 2017, the plaintiff may file a reply in support of its renewed motion for a temporary restraining order.²

4. An evidentiary hearing on the plaintiff's renewed motion for a temporary restraining order³ will be set by separate notice for April 12, 2017. A hearing (oral argument) on the defendants' motions to dismiss, if the Court deems one necessary, will be set by separate notice.

SO ORDERED, this 22nd day of February, 2017.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE

¹ As discussed during the status conference, since the defendants' pending motions to dismiss and supporting memoranda are identical, the defendants may file one motion to dismiss with a single supporting memorandum on behalf of both defendants.

² By text order entered February 10, 2017, the Court granted the plaintiff's motion for an extension to file its reply until March 24, 2017 (then the same deadline for the plaintiff's response to the motions to dismiss) based on the plaintiff's statement that many of the arguments in its reply will be the same as those it will make in its response to the defendants' motions to dismiss. Because the March 24, 2017, deadline was based on a schedule and circumstances that no longer exist, the reply deadline of March 9 governs.

³ As also discussed during the status conference, the hearing on the renewed motion for a temporary restraining order will be converted to a preliminary injunction hearing.