

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

FREDRICK SMITH

PLAINTIFF

V.

NO. 2:11CV120-WAP-JMV

BANK OF AMERICA, ET AL.

DEFENDANTS

ORDER

Before the court is the *ore tenus* motion of the defendants for an order lifting the stay imposed in this matter by a Scheduling Order (# 26) dated August 11, 2011. By that Order, this case was stayed for 90 days to facilitate the plaintiff's request of the defendants for a loan modification. The Order provided, however, that if at any time during the 90 day period any party so requested, the stay would be lifted, and the deadlines set out in that Order would take effect. Therefore, it is hereby

ORDERED that the stay previously entered herein is lifted, and the parties shall proceed in accordance with the August 11 Scheduling Order.

This, the 22nd day of September, 2011.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE