

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

MICHAEL REED MARTZ

PLAINTIFF

v.

CASE NO. 3:13cv114-NBB-JMV

MISSISSIPPI ARMY NATIONAL GUARD

DEFENDANT

**MISS. UNIF. CIV. L. R. 16(b)(3)(B) & (C)  
ORDER STAYING CERTAIN PROCEEDINGS PENDING RULING ON DEFENDANT  
MISSISSIPPI ARMY NATIONAL GUARD'S  
[4] RULE 12(b)(1), 12(b)(6), 12(c) AND ELEVENTH AMENDMENT  
MOTION TO DISMISS AND FOR JUDGMENT ON THE PLEADINGS**

BEFORE THE COURT is Defendant Mississippi Army National Guard's ("MSARNG") Rule 12(b)(1), 12(b)(6), 12(c) and Eleventh Amendment Motion to Dismiss and for Judgment on the Pleadings ("Eleventh Amendment Motion") as to all counts and claims brought by Plaintiff Michael Reed Martz ("Martz") [4]. Having considered the provisions of Miss. Unif. Civ. L. R. 16(b)(3)(B) & (C),

IT IS, THEREFORE, ORDERED that:

- (1) All proceedings in this action, other than those related to the MSARNG's [4] Motion, are STAYED pending a final ruling on that Motion; and
- (2) In the event that the MSARNG's [4] Motion is denied, counsel shall contact the undersigned within ten (10) days of the filing of such order and submit a proposed order lifting the stay.

SO ORDERED, this the 20<sup>th</sup> day of May, 2013.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE