

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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|------------------------|---|-------------------------|
| SR. KATE REID, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Case No. 4:12CV01345AGF |
| |) | |
| THE DOE RUN RESOURCES |) | |
| CORPORATION, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before the Court on Defendants’ Joint Motion to Stay. [Doc. No. 29].

By this motion, Defendants seek a stay of this proceeding until the United States Court of Appeals for the Eighth Circuit issues a mandate in a currently pending appeal, Sr. Kate Reid, et al. v. Doe Run Resources Corp., et al., No. 12-1065 (8th Cir.) (filed on Jan. 6, 2012 and involving eleven consolidated appeals). The Eighth Circuit heard oral argument on September 19, 2012. Defendants argue that the appeal “will likely control this case” and similar lawsuits filed in state court and removed to this district, as the appeal addresses whether those cases--which are similar to the instant case--are “related to” an international arbitration, and therefore whether federal jurisdiction is conferred under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 9 U.S.C. §205 (“CREFAA”) and whether a stay of litigation is appropriate pending that

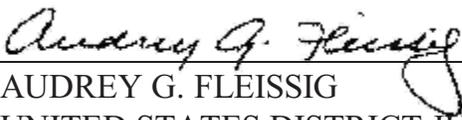
international arbitration. As such, the Eighth Circuit's determination will likely impact Plaintiffs' pending motion to remand, as well.

Plaintiffs have not responded to Defendants' Joint Motion to Stay, and the time to do so has expired. Because the Court agrees that a resolution of the consolidated appeals before the Eighth Circuit Court of Appeals could impact important issues related to whether proceedings in this case should move forward in this Court, Defendants' motion to stay shall be granted.

Accordingly,

IT IS HEREBY ORDERED that individual Defendants' Joint Motion to Stay [Doc. No. 29] is **GRANTED** so as to stay further proceedings in this Court, including the filing of Defendants' answer or other responsive pleading and Defendants' response to Plaintiffs' motion to remand, until after issuance of the Eighth Circuit's mandate in appeal No. 12-105.

IT IS FURTHER ORDERED that, within five days of the date the Eighth Circuit issues its mandate in appeal No. 12-1065, the parties shall notify this Court of the issuance of that mandate.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 1st day of October, 2012.