

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|-------------------------------------|---|------------------------|
| AIC COMMUNICATIONS, LLC, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 4:14CV550 CDP |
| |) | |
| CHARTIS SPECIALTY INS. CO., et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

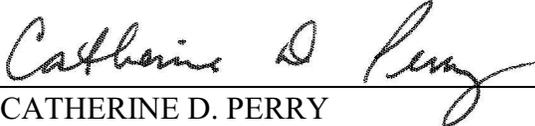
This matter is before me on defendant Chartis' motion to dismiss or in the alternative to stay. Chartis argues that this case should be dismissed or stayed because the insurance contract between the parties contains a non-binding mediation provision as a condition precedent to filing suit. In response, plaintiffs consent to stay of this case pending mediation. Given the recent settlement of the underlying dispute and the parties' agreement to stay this action pending mediation, I will refer this case to mediation this same date and stay it until 90 days after completion of mediation, unless the parties request the stay be lifted sooner. Mediation shall be conducted in accordance with the Court's Order Referring the Case to ADR and, where the provisions do not conflict with this Order, with the requirements set out in the insurance contract. I expect the parties to work cooperatively to determine the appropriate terms and conditions of mediation.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion to dismiss [#17-1] is denied, and the alternative motion to stay [#17-2] is granted as follows: **this case is stayed until December 2, 2014, and on that date, if this case has not settled, the parties shall file a joint**

memorandum advising the Court of the status of the litigation and requesting a scheduling conference.

IT IS FURTHER ORDERED that this case will be referred to mediation effective today, with a completion date of September 2, 2014, and in accordance with the terms and conditions set out above.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of July, 2014.