Sprint Communications Company L.P. v. Missouri Network Alliance, Inc. Doc. 19

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

SPRINT COMMUNICATIONS COMPANY L.P.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:17-CV-00597-DGK
	)	
MISSOURI NETWORK ALLIANCE, LLC,	)	
	)	
Defendant.	)	

ORDER FOR PRIMARY JURISDICTION REFERRAL AND STAY

Having reviewed (1) the parties' joint motion for a primary jurisdiction referral and a stay, and (2) the relevant law and facts, it is, for the substantially the reasons set forth in the parties' briefing, it is hereby:

ORDERED that the Court refers to the Federal Communications Commission ("FCC") the following issue, pursuant to the doctrine of primary jurisdiction: "whether the charges Plaintiff was assessed under Defendant's interstate tariffs are lawful under the FCC's rules"; and it is further

ORDERED that, pending resolution of that primary jurisdiction referral, this case is stayed; and it is further

ORDERED that, within thirty days of the date that the FCC resolves the primary jurisdiction referral, the parties are directed to inform the Court in writing as to whether they intend to proceed with the present action.

IT IS SO ORDERED.

Date: October 18, 2017

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT

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