

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

**MID-AMERICA BANK & TRUST
COMPANY,**

Plaintiff,

vs.

**MIDDLE AMERICA WIRELESS, LLC,
and SMALL BUSINESS
ADMINISTRATION,**

Defendants.

Case No. 08-03336-CV-S-GAF

ORDER

Presently before the Court is Plaintiff Mid-America Bank & Trust Company's ("Mid-America") Motion to Stay Defendant Small Business Administration's ("SBA") Motion to Dismiss. (Doc. #91). Mid-America seeks to have the Court stay SBA's Motion to Dismiss until the Court has ruled upon its Motion for Leave to File a Second Amended Complaint. (Doc. #91, 86). SBA objects, arguing that, notwithstanding Mid-America's proposed amendments to its Complaint, the Complaint would still warrant the Court to dismiss the case on the same grounds as stated in its Motion to Dismiss. (Doc. #96). After review and consideration, it is

ORDERED that Mid-America's Motion to Stay is **DENIED**. Mid-America shall have up to and including ten (10) days from the date of this Order to file its Suggestions in Opposition to SBA's Motion to Dismiss.

s/ Gary A. Fenner

Gary A. Fenner, Judge
United States District Court

DATED: August 10, 2009