

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 WIRTZ BEVERAGE NEVADA BEER, ) Case No.: 2:11-cv-01513-GMN-PAL  
4 INC., f/k/a MONARCH BEVERAGE )  
5 COMPANY, a Nevada corporation, ) **ORDER**  
6 )  
7 Plaintiff, )  
8 vs. )  
9 )  
10 PETER R. WIRTZ, W. ROCKWELL )  
11 WIRTZ, and DONALD F. HUNTER, as )  
12 co-trustees to THE WILLIAM W. WIRTZ )  
13 TRUST, dated September 2, 1999, as )  
14 amended and restated, and W. )  
15 ROCKWELL WIRTZ, individually, )  
16 )  
17 Defendants. )  
18 )

14 Before the Court is Defendant Wirtz Beverage Nevada Beer, Inc., f/k/a Monarch  
15 Beverage Company’s (“Monarch”) Emergency Motion to Stay Further Briefing Regarding Co-  
16 Trustee Peter R. Wirtz’s Motion to Dismiss Complaint Pending Resolution of Monarch’s  
17 Motion to Remand (“Emergency Motion”) (ECF No. 7).

18 On September 21, 2011, Co-Defendant and Co-Trustee Peter R. Wirtz filed a Petition  
19 for Removal (ECF No. 1) and a Motion to Dismiss (ECF No. 2). A week later, Monarch filed  
20 a Motion to Remand (ECF No. 8) and its Emergency Motion (ECF No. 7).

21 In support of its request for a stay, Monarch argues that “the entry of a stay will  
22 conserve judicial resources because this Court’s review of the Motion to Dismiss is likely to be  
23 unnecessary based upon the result of the Motion to Remand.” (Emergency Motion 2:¶6.)

24 The Court agrees that a stay is warranted, pending resolution of Monarch’s Motion to  
25 Remand.

1           **IT IS HEREBY ORDERED** that the Emergency Motion is **GRANTED**.

2           **IT IS FURTHER ORDERED** that Co-Defendant and Co-Trustee Peter R. Wirtz's  
3 Motion to Dismiss is **STAYED** pending this Court's resolution of Monarch's Motion to  
4 Remand.

5           DATED this 5th day of October, 2011.

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9           Gloria M. Navarro  
10           United States District Judge