

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

LORI E. MATTHEWS,

Plaintiff,

v.

Civ. No. 17-762 MV/GJF

PROGRESSIVE DIRECT INSURANCE
COMPANY AND VALINA H. HAMILTON,

Defendants.

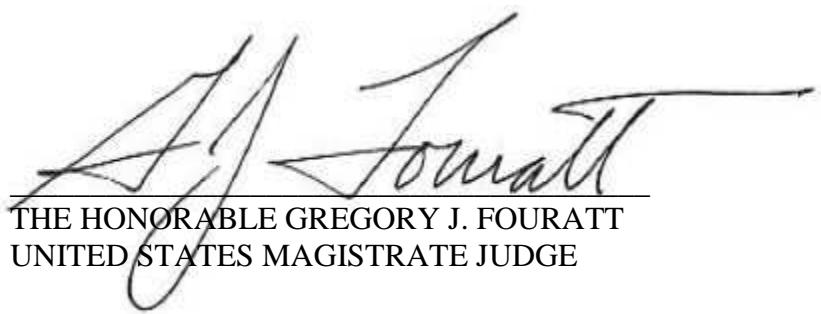
**ORDER GRANTING
BIFURCATION, STAY, AND PROTECTIVE ORDER**

This matter is before the Court on Defendant Progressive Direct Insurance Company and Defendant Valina H. Hamilton's (collectively, "Defendants") consolidated Motion to Bifurcate, Motion to Stay, and Motion for Protective Order ("Motion") [ECF Nos. 21 and 22] and Plaintiff Lori Matthews's Consent [ECF No. 24] to Defendants' Motion. Having reviewed the record and noting the concurrence of the parties, the Court **HEREBY ORDERS** as follows:

IT IS ORDERED that Defendants' Motion to Bifurcate is **GRANTED**. The Underinsured Motorist ("UIM") claim is **HEREBY BIFURCATED AND SEVERED** from the remaining extra-contractual claims for purposes of discovery and trial. Plaintiff's claims for UIM benefits under the Policy will be tried, and should Plaintiff prevail in her trial for UIM benefits, she may proceed with litigating the bifurcated extra-contractual claims;

IT IS FURTHER ORDERED that Defendants' Motion to Stay all extra-contractual discovery is **GRANTED** until the UIM matter is adjudicated. Accordingly, Defendants' Motion for Protective Order as to the extra-contractual discovery that was previously propounded to Defendants is hereby **GRANTED**. Defendants are not required to respond to discovery on the extra-contractual issues unless and until this stay is lifted.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE