## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

State of New York,

Plaintiff,

٧.

ORDER 14-CV-00910-RJA-LGF

Grand River Enterprises Six Nations, Ltd. and Native Wholesale Supply Company,

Defendants.

\_\_\_\_\_

The Defendants Grand River Enterprises Six Nations, Ltd. and Native Wholesale Supply Company ("Defendants") jointly move to stay discovery *Pending Second Circuit Court of Appeals Decision in Mountain Tobacco* pursuant to Federal Rules of Procedure Rule 26(c). Considering Defendants' joint motion, it is hereby,

**ORDERED** that the joint motion to stay discovery (Dkt. No. 117) is denied. The action is hereby referred to Magistrate Judge Foschio on the terms in the Court's prior Text Order of referral at Docket No. 83.

IT IS SO ORDERED.

Dated: March 21, 2019

<u>s/Richard J. Arcara</u> HONORABLE RICHARD J. ARCARA UNITED STATES DISTRICT JUDGE