

IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
 WESTERN DIVISION  
 5:16-CV-940-FL

CERTAIN INTERESTED )  
 UNDERWRITERS SUBSCRIBING TO )  
 POLICY NO. B1262PW0017013, )

Plaintiffs, )

v. )

AMERICAN REALTY ADVISORS; SVF )  
 WESTON LAKESIDE, LLC; and DOES 1- )  
 25, Inclusive, )

Defendants. )

**ORDER**

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AMERICAN REALTY ADVISORS and )  
 SVF WESTON LAKESIDE, LLC, )

Counter-Claimants, )

v. )

CERTAIN UNDERWRITERS AT )  
 LLOYD’S OF LONDON, )

Counter-Defendants. )

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This case comes before the court on three motions by defendants and counter-claimants American Realty Advisors and SVF Weston Lakeside, LLC (collectively “defendants”): (1) a motion (D.E. 63) for a protective order filed 5 September 2017, which has been fully briefed; (2) a motion (D.E. 65) to compel filed 5 September 2017, to which plaintiffs have not yet responded; and (3) a motion (D.E. 75) to hold the motion to compel in abeyance filed 13 September 2017, which the motion represents plaintiffs do not oppose. In their abeyance motion, defendants report that some issues presented by their motion to compel have been resolved since the filing

of the motion to compel and request that the court hold a discovery dispute conference to attempt to narrow or resolve any remaining issues.

In light of the information provided, defendants' motion to hold the motion to compel in abeyance is ALLOWED. The court will defer ruling on the motion to compel pending a telephonic discovery dispute conference on the motion.

The court will hold a telephonic discovery dispute conference on defendants' motion to compel on Wednesday, 20 September 2017, at 3:00 p.m. This conference will be combined with a hearing on defendants' motion for a protective order. Counsel shall therefore be prepared to address both the motion to compel and the motion for a protective order. Counsel shall contact Deputy Clerk Bobbie Horton no later than noon on Monday, 18 September 2017, at (919) 645-1774 to provide a telephone number at which each can be reached. If any issues presented by defendants' motion to compel remain in dispute following the discovery dispute conference, plaintiffs shall have until 27 September 2017 to file any response.

SO ORDERED, this 14 day of September 2017.

  
James E. Gates  
United States Magistrate Judge