

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

No. 7:12-CV-305-F

UNITED STATES OF AMERICA, for the use)
of GAYLOR INC. OF NORTH CAROLINA,)
Plaintiff,)

v.)

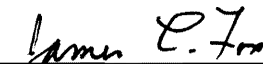
CADDELL CONSTRUCTION CO., INC.;)
W.G. YATES & SONS CONSTRUCTION)
COMPANY; CADDELL YATES JOINT)
VENTURE; EDWARDS ELECTRIC)
SERVICE, LLC; TRAVELERS CASUALTY)
AND SURETY COMPANY OF AMERICA;)
FIDELITY AND DEPOSIT COMPANY OF)
MARYLAND; ZURICH AMERICAN)
INSURANCE COMPANY,)
Defendants.)

ORDER

This matter is before the court on the Parties’ Joint Motion for Stay of the Proceedings [DE-11]. The parties indicate in the motion that prior to the commencement of this action, Gaylor and Edwards had engaged in negotiations of Gaylor’s claims. In addition, Gaylor had commenced an arbitration proceeding against Edwards, which arbitration proceeding is being administered by the American Arbitration Association. The arbitration proceeding has been stayed by agreement of the parties to allow for further negotiations. The motion indicates that if Gaylor’s claims cannot be resolved through negotiations, all claims will be determined in the arbitration proceeding Gaylor commenced against Edwards, and Caddell Construction Company, Inc., W.G. Yates & Sons Construction Company, and Caddell Yates Joint Venture (collectively, “CYJV”) and sureties will join as parties in that arbitration proceeding.

For the reasons stated therein, the parties Joint Motion for Stay of Proceedings [DE-11] is ALLOWED, and this action is STAYED pending negotiations between Gaylor and Edwards, and if negotiations are not successful, through the pending arbitration proceeding with the American Arbitration Association if necessary. The parties are DIRECTED to submit a status report regarding their negotiations and/or arbitration proceedings no later than 90 days from the filing date of this order, and every 90 days thereafter, until such negotiations and/or arbitration proceedings are concluded.

SO ORDERED. This the 13^a day of November, 2012.



James C. Fox
Senior United States District Judge