

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Civil Action No. 7:14-CV-00126-BO

JAMES KELLEY / KELLEY
ENGINEERING,

Plaintiff,

vs.

ENVIVA, LP, JOHN KEPPLER,
NORB HINTZ, ENVIVA
PELLETS AHOSKIE, LLC,
ENVIVA PELLETS
NORTHAMPTON, LLC, ENVIVA
PELLETS SOUTHAMPTON, LLC,
ENVIVA HOLDINGS, LP, "JOHN
DOE" CORPORATION(S)
AND/OR PARTNERSHIP(S),

Defendants.

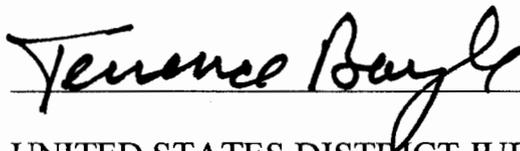
**ORDER STAYING
DISCOVERY**

Before the Court is the motion (D.E. 25) by defendants Enviva, LP, Enviva Pellets Ahoskie, LLC, Enviva Pellets Northampton, LLC, Enviva Pellets Southampton, LLC, John Kepler, Norb Hintz, and Enviva Holdings, LP (collectively, "Defendants") to stay discovery pending resolution of their Motion to Dismiss for lack of personal jurisdiction, insufficiency of process, and insufficiency of service of process (D.E. 14) and their Motion to Dismiss Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (D.E. 17). Defendants

contend that resolution of one or more of these motions may obviate discovery and that deferral of discovery until after such resolution would preserve the Court's and the parties' time and other resources. Plaintiff James A. Kelley is willing to extend the time for the discovery scheduling conference, but he objects to staying discovery. (D.E. 25, Ex. A)

The Court finds that Defendants have shown good cause for the stay requested. The motion to stay is therefore ALLOWED, and all discovery in this case, including the convening of a Fed. R. Civ. P. Rule 26(f) conference and filing of a discovery plan, is STAYED pending entry of orders disposing of the motions to dismiss.

This the 27 day of August, 2014.


UNITED STATES DISTRICT JUDGE