

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Civil Action No. 7:14-CV-00205-FL**

**UNITED STATES OF AMERICA for the use )  
and benefit of TQ CONSTRUCTORS, INC., )**

**Plaintiff, )**

**v. )**

**TRAVELERS CASUALTY AND SURETY )  
COMPANY OF AMERICA and ENVIRO )  
AGSCIENCE, INC. )**

**Defendants. )**

**ENVIRO AGSCIENCE, INC., )**

**Counterclaim Plaintiff, )**

**v. )**

**WESTERN SURETY COMPANY, )**

**Additional Counterclaim Defendant. )**

**v. )**

**K.C. TILES, INC.; EAST CAROLINA )  
MECHANICAL, INC.; and WESTFIELD )  
INSURANCE COMPANY, )**

**Third-Party Counterclaim Defendants. )**

**ORDER GRANTING  
MOTION TO STAY  
PENDING ARBITRATION**

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This matter is before the Court on Plaintiff United States of America for the use and benefit of TQ Constructors, Inc. (hereinafter “TQ Constructors”)’s Motion to Stay Pending Arbitration, and it appears to the Court that all counsel of record for all parties consent to the

Motion to Stay and that good cause exists to grant the Motion.

Therefore, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. The foregoing motion to stay is granted, all deadlines related to this matter are stayed, and that Plaintiff will provide a report to the court on the status of arbitration proceeding on or before March 2016 after the arbitration is scheduled to occur.
  2. Travelers reserves any rights and defenses that it may have that are independent of the rights and defenses of its principal, ENVIRO AgScience, Inc., and Western Surety Company reserves any rights and defenses that it may have that are independent of the rights and defenses of its principal, TQ Constructors, Inc., and Westfield Insurance Company reserves any rights and defenses that it may have that are independent of the rights and defenses of its principal, K. C. Tiles, Inc.
  3. Additionally, all sureties in the case shall not raise a defense that the claims against them in this case against them are subject to arbitration. Moreover, this disposition moots prior motion to stay, (DE 50), which shall be terminated.
- This the 14th day of July, 2015.



District Judge Louise W. Flanagan