

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13cv135**

ASHEVILLE DOWNTOWN)
HOLDINGS, LTD,)
)
Plaintiff,)
)
v.)
)
TD BANK, N.A., J.W. DAVIS,)
)
Defendants.)
_____)

ORDER

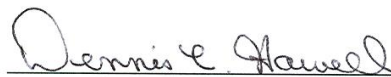
Pending before the Court is the Consent Motion to Stay [# 27]. Upon a review of the parties' consent motion and the record in this case, the Court **DIRECTS** the parties as follows:

- (1) Plaintiff shall have until October 16, 2013, to file a motion to remand and supporting legal brief. The brief should not exceed fifteen (15) pages. Defendants shall have ten (10) days to file a single response. Defendants' response brief should not exceed fifteen (15) pages. Plaintiff shall have seven (7) days to file a reply brief that shall not exceed ten (10) pages. No extensions of these deadlines or pages limits shall be granted by the Court.
- (2) The Court **GRANTS** the motion [# 27] and **STAYS** this case pending a ruling on the motion to remand. If Plaintiff fails to file a motion to remand by

October 16, 2013, the stay of this matter shall be automatically lifted and the case will proceed in this Court.

(3) Defendants shall have ten (10) days from the lifting of the stay or from the entry of an order denying any motion to remand to answer or otherwise response to the First Amended Complaint. No extension of this deadline shall be granted.

Signed: October 2, 2013

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Dennis L. Howell
United States Magistrate Judge

