

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14 CV 250**

BRONCO CONSTRUCTION, INC.,)
)
Plaintiff)
)
v)
)
SCHOTTEN FENSTER LLC, VINNY)
CURRAN, HOLLIS ARCHITECTURAL)
PRODUCTS, L.L.C., and FRAZIER HOLLIS,)
)
Defendants.)

ORDER

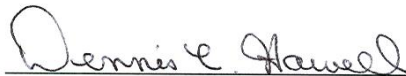
THIS MATTER is before the undersigned pursuant to a Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan (#21). In the certification, the Plaintiff and the Defendant Hollis Architectural Products, L.L.C. and Frazier Hollis requests that the Court enter a Pretrial Order and Case Management Plan. The certification sets forth that Defendants Schotten Fenster LLC and Vinny Curran did not participate in the conference regarding the preparation of the Certification and Report because of a pending Motion to Stay Proceedings and Compel Arbitration (#15) filed by the Defendants Schotten Fenster LLC and Vinny Curran. The undersigned has consulted with the District Court and has determined that due to the pending Motion to Stay Proceedings and Compel Arbitration filed by Defendants Schotten Fenster LLC and Vinny Curran,

the Pretrial Order and Case Management Plan should not be entered until the District Court has ruled upon the Motion to Stay Proceedings and Compel Arbitration. As a result, the undersigned will not enter a Pretrial Order and Case Management Plan pending the District Court's resolution of the Motion to Stay Proceedings and Compel Arbitration.

ORDER

IT IS, THEREFORE, ORDERED that the Court declines to enter a Pretrial Order and Case Management Plan in this matter pending the resolution by the District Court of the Motion to Stay Proceedings and Compel Arbitration (#15) filed by Defendants Schotten Fenster LLC and Vinny Curran. After the District Court has ruled upon the motion, whatever defendants that are involved in the litigation, shall file an amended Certification and Report within fourteen (14) days of the District Court's ruling on the Motion to Stay Proceedings and Compel Arbitration.

Signed: December 5, 2014



Dennis L. Howell
United States Magistrate Judge

