

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00260-MOC-WCM

SCHUMACHER HOMES OF)	
NORTH CAROLINA, INC. and)	
RICHARD SMOTHERS)	
)	
Plaintiffs,)	ORDER
)	
v.)	
)	
KEITH BUCHANAN and)	
DIANNA BUCHANAN)	
)	
Defendants.)	
)	

This matter is before the Court on the parties' Request and Stipulation to Lift Stay Order (the "Motion," Doc. 34).

On September 16, 2022, the Court stayed this matter pending Plaintiffs' appeal to the United States Court of Appeals for the Fourth Circuit. Doc. 32. The instant Motion indicates that the parties have agreed to dismiss that appeal, and therefore seek an order lifting the September 16 stay. Doc. 34. In addition to the Motion, the Fourth Circuit has issued a Rule 42(b) Mandate, effective November 17, 2022, dismissing the appeal. Doc. 35.

IT IS HEREBY ORDERED that:

1. The parties' Request and Stipulation to Lift Stay Order (Doc. 34) is **GRANTED**, and the stay in this matter is **LIFTED**.
2. The parties are directed to submit an updated Rule 26(f) report on or before November 28, 2022.

Signed: November 18, 2022



W. Carleton Metcalf
United States Magistrate Judge

