

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:07CV300-C**

<b>GARY A. FITZER, on behalf of</b>	)	
<b>himself and all others similarly</b>	)	
<b>situated,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	
	)	
<b>SALAD CREATIONS OF AMERICA</b>	)	
<b>INC., LETT-US FRANCHISE</b>	)	
<b>INTERNATIONAL, LLC, LETT-US</b>	)	
<b>FRANCISE, LLC, JEFF LEVINE,</b>	)	
<b>ROBERT SPUCK, MARSHALL</b>	)	
<b>OWENS, and DAVID GLOWATZKE,</b>	)	
	)	
<b>Defendants.</b>	)	
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**ORDER**

**THIS MATTER** is before the Court on the “Defendants’ Motion to Stay Initial Attorney Conference and Discovery” (document #13) and “Memorandum of Law in Support . . .” (document #14), both filed August 13, 2007. The Defendants seek “to stay the Initial Attorney Conference required under Local Rule 16.1, and to stay all discovery in the above-captioned action pending a decision on Defendants’ Motion to Dismiss.”

For the reasons stated therein, the Defendants' Motion to Stay Initial Attorney Conference and Discovery is **GRANTED**, that is, the parties shall have **fifteen (15) days** from the date of the Honorable Robert J. Conrad, Jr.'s ruling on the undersigned's Memorandum and Recommendation of the Defendants' now pending Motion to Dismiss.

**SO ORDERED.**

Signed: August 14, 2007

*Carl Horn, III*

Carl Horn, III  
United States Magistrate Judge

