

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11-cv-23-RJC-DCK**

U.S. COMMODITY FUTURES)	
TRADING COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	
)	
KEITH E. SIMMONS et al.,)	
)	
Defendants, and)	
)	
LAWRENCE SALAZAR, et al.,)	
)	
Relief Defendants.)	
<hr style="width: 100%;"/>)	

ORDER

THIS MATTER comes before the Court on the United States’s “Motion to Extend Stay of Civil Discovery.” (Doc. No. 92).

Upon the agreement of all parties in this action, the Court stayed discovery until February 28, 2012 due to a parallel criminal investigation. (Doc. Nos. 65; 69). The Court provided that “[i]f an indictment relating to the subject matter of this civil suit is pending at that time, the United States may move to extend the stay until the conclusion of the criminal trial regarding such indictment.” (Doc. No. 69). A Grand Jury indicted Defendant Jonathan Davey, and three others, on February 22, 2012 for conduct related to this civil suit. See (Case No. 3:12-cr-68, Doc. No. 1). The United States conferred with all represented parties in this case and none have an objection to an extension of this case’s stay. (Doc. No. 92 at 3).

Therefore, the Court will **GRANT** the United States’s “Motion to Extend Stay of Civil Discovery.” (Doc. No. 92). Discovery in this action is stayed until the conclusion of the criminal trial in United States v. Davey, et al., 3:12-cv-68. The United States shall file a status

report in this action upon the conclusion of such criminal trial.

IT IS, THEREFORE, ORDERED that:

1. The United States's "Motion to Extend Stay of Civil Discovery," (Doc. No. 92), is **GRANTED**;
2. All discovery in this matter is stayed until the conclusion of the criminal trial in United States v. Davey, et al., 3:12-cv-68; and
3. The United States shall file a status report in this action upon the conclusion of such criminal trial.

Signed: February 28, 2012



Robert J. Conrad, Jr.
Chief United States District Judge

