

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-cv-417-RJC**

**BLUE CROSS AND BLUE SHIELD OF
NORTH CAROLINA,**

**Plaintiff, Counterclaim
Defendant and
Counterclaim Plaintiff,**

v.

**JEMSEK CLINIC, P.A., and
JOSEPH G. JEMSEK, M.D., an individual**

**Defendants, Counterclaim Plaintiffs and
Counterclaim Defendants.**

Appellee.

ORDER

THIS MATTER is before the Court on Plaintiff and Counterclaim Defendant Blue Cross and Blue Shield of North Carolina’s (“BCBSNC”) Motion to Stay Consideration of the Bankruptcy Court’s Recommendation. Because the Bankruptcy Court has yet to rule on the Motion for Sanctions filed by the Defendants and Counterclaim Plaintiffs Joseph G. Jemsek, M.D. and the Jemsek Clinic, P.A. (collectively, the “Jemsek Defendants”), it is in the interest of judicial economy to stay this Court’s consideration of the Findings of Fact and Conclusions of Law Recommending Entry of Final Order (1) Denying Motion of the Jemsek Defendants For Leave to Reinstate First Amended Counterclaims (Proposed Third Amended Counterclaim) And (2) Granting Final Judgment to Blue Cross Blue Shield of North Carolina.

IT IS THEREFORE ORDERED that this Court’s consideration of the Findings of Fact and Conclusions of Law Recommending Entry of Final Order (1) Denying Motion of the Jemsek Defendants For Leave to Reinstate First Amended Counterclaims (Proposed Third Amended

Counterclaim) And (2) Granting Final Judgment to Blue Cross Blue Shield of North Carolina is stayed until the Bankruptcy Court has issued an order resolving the outstanding Motion for Sanctions filed by the Jemsek Defendants.

Signed: June 24, 2015



Robert J. Conrad, Jr.
United States District Judge

