

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:11-cv-00062-RLV-DSC**

PETER JOLLY)
)
Plaintiff,)
)
v.)
)
DAVID THOMAS MCBURNEY, GUNTIS)
GRABAZS, and CAITLIN ELIZABETH)
JOY,)
)
Defendants.)
_____)

MEMORANDUM AND ORDER

THIS MATTER is before the Court on Plaintiff Jolly’s Consent Motion to Stay. (Doc. 47.) Therein, Plaintiff moves the Court to stay the trial of this matter pending determination in the Tennessee state courts of whether arbitration is proper as between Plaintiff and unnamed Defendant GEICO Indemnity Co. under the terms of the subject underinsured motorist policy. Defendant GEICO has consented to this Motion, and for good cause shown, the Motion shall be granted.

IT IS, THEREFORE, ORDERED that Plaintiff’s Consent Motion to Stay (Doc. 47) be **GRANTED**.

IT IS FURTHER ORDERED that the parties submit quarterly status reports pending resolution of Plaintiff’s declaratory judgment action in Tennessee’s courts.

Signed: August 21, 2013



Richard L. Voorhees
United States District Judge

