

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:12-cv-00061-RLV-DCK**

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|--------------------------|---|--|
| CRUM & FORSTER SPECIALTY |) | |
| INSURANCE COMPANY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| TRIPPLE J FRAMING, INC., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

THIS MATTER IS BEFORE THE COURT on its own motion to inquire as to the status of this litigation. This litigation involves Plaintiff Crum & Forster Specialty Insurance Company’s (“Crum & Forster”) request for a declaratory judgment as to its duty, under an insurance policy it issued to Defendant Tripple J Framing, Inc. (“Tripple J”), to defend or indemnify Tripple J in a South Carolina state court proceeding. (*See* Doc. 1). On May 23, 2013, this Court stayed this litigation pending resolution of a similar declaratory judgment action, initiated by Tripple J, in a South Carolina state court. (Doc. 18). Since this Court’s May 23, 2013 order, the Court has required the parties to file periodic status reports and the parties have complied with the Court’s orders. (*See* Docs. 19, 23-31). Most recently, Crum & Forster filed a status report on July 1, 2016, indicating that the South Carolina state court action for which this case is stayed was, itself, stayed pending an appeal in an ancillary South Carolina state court action. (Doc. 31 at 1). Crum & Forster’s July 1, 2016 status report further advised this Court that the ancillary South Carolina state court action was before the South Carolina Supreme Court on a discretion petition for a writ of certiorari, which was filed on October 14, 2015. *Id.*

More than six months having elapsed since the filing of the last status report, the Court **ORDERS** the parties to file, jointly if possible, a **Status Report** on or before April 5, 2017. In the alternative, the parties may file a Stipulation of Dismissal on or before April 5, 2017.

SO ORDERED.

Signed: March 22, 2017

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath.

Richard L. Voorhees
United States District Judge

