

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:13-CV-071-RLV-DCK**

**GENESIS ELDERCARE REHABILITATION)
SERVICES, INC., d/b/a GENESIS)
REHABILITATION SERVICES; and)
RESPIRATORY HEALTH SERVICES, LLC,)**

Plaintiffs,

v.

**HEALTHTIQUE WINSTON SALEM, LLC,)
d/b/a WINSTON SALEM NURSING AND)
REHABILITATION, et al.,)**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Motion To Stay” (Document No. 8) filed July 1, 2013. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion.

The undersigned notes that Defendants failed to file a timely Answer, or to otherwise respond to the Complaint. Moreover, it appears that Defendants are not represented by counsel in this matter, and that they were not consulted regarding the instant motion.

IT IS, THEREFORE, ORDERED that “Plaintiff’s Motion To Stay” (Document No. 8) is **DENIED WITHOUT PREJUDICE**. Plaintiff may file a renewed motion; however, such motion should indicate Defendants’ position on the motion, and should further explain why a stay is more appropriate here than a voluntary dismissal.

SO ORDERED.

Signed: July 2, 2013



David C. Keesler
United States Magistrate Judge

