

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:13-CV-00144-RLV-DSC**

JONATHAN SCHNEIDER, et. al.,)
)
Plaintiffs,)
)
v.)
)
CCC-BOONE, L.L.C. et. al.,)
)
Defendants.)

THIS MATTER is before the Court on Defendants’ “Motion for Leave to File Opposition to Plaintiffs’ Motion to Remand” (document #15) and “Plaintiffs’ Motion for Limited Stay” (document #13).

Defense counsel credibly takes full responsibility for Defendants’ failure to file a timely response opposing Plaintiffs’ Motion to Remand. This failure was a result of an administrative error for which Defendants bear no fault. Accordingly, after consulting with the chambers of the Honorable Richard L. Voorhees, the Court will grant Defendants’ “Motion for Leave to File Opposition to Plaintiffs’ Motion to Remand” (document #15). Defendants shall file their brief within fifteen (15) days of entry of this Order. Defense counsel is cautioned to comply with all remaining deadlines in this case.


In their Motion, Plaintiffs seek an Order staying their deadline for responding to Defendants’ Motion to Dismiss (document #9) until sometime after the Court rules on their Motion to Remand (document #7). Although the Court will resolve any issues of subject matter jurisdiction prior to considering any dispositive matters, there is no basis for Plaintiffs

withholding their response to Defendants' Motion. Accordingly, "Plaintiffs' Motion for Limited Stay" (document #13) is denied.

The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: January 3, 2014



David S. Cayer
United States Magistrate Judge

