

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America for the use and)
benefit of Curtis C. Davis d/b/a Davis)
Contracting Company,)

Plaintiff,)

vs.)

Byrd Brothers Emergency Services, LLC;)
and Travelers Casualty and Surety)
Company of America,)

Defendants.)

Travelers Casualty and Surety Company)
of America,)

Third-Party Plaintiff,)

vs.)

Byrd Brothers, Inc., Claude R. Byrd,)
James K. Byrd, and Donna R. Byrd,)

Third-Party Defendants.)

ORDER

Case No. 4:12-cv-153

On November 7, 2015, the court issued an order: (1) dismissing plaintiffs’ claims against Byrd Brothers Emergency Services, LLC (“BBES”) and Travelers Casualty and Surety Company of America (“Travelers”) on motion by plaintiff; (2) dismissing BBES’s counterclaims against plaintiff; (3) staying Travelers’ cross claims against BBES and third party claims against third-party defendants pending conclusion of the lawsuit captioned Mike Munna, LLC v. Byrd Brothers Emergency Services, LLC, et. al., 34th Judicial District Court for the Parish of St. Bernard, State of Louisiana, Case No. #14-0645 (hereinafter referred to as the “Louisiana lawsuit”); and (4)

directing the parties to file a status report on or before May 1, 2015.

On April 28, 2015, Travelers filed a “Status Update and Request for Extension of Stay.” It advises that the Louisiana lawsuit still pending and further requests that the court continue the stay of the above-entitled action through November 1, 2015.

The court **GRANTS** Traveler’s request (Docket No. 70) and **ORDERS** that the above entitled action shall be stayed pending conclusion of the Louisiana lawsuit. The court further **ORDERS** that the parties are to file an update on the status of the case on or before November 1, 2015.

IT IS SO ORDERED.

Dated this 28th day of April, 2015.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court