

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BROCK SHANK, individually  
and on behalf of all persons  
and entities similarly situated,  
Plaintiff,

v.

GIVESURANCE INSURANCE  
SERVICES, INC., et al.,

Defendants

and

GIVESURANCE INSURANCE  
SERVICES, INC.,

Third-Party Plaintiff

v.

INFORMA MEDIA, INC.,

Third-Party Defendant

CASE NO. 3:19-CV-136

JUDGE WALTER H. RICE

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DECISION AND ENTRY DISMISSING WITHOUT PREJUDICE TO  
REFILING MOTION FOR JUDGMENT ON THE PLEADINGS (DOC.  
#25) AND THE MOTION TO DISMISS FOR FAILURE TO STATE A  
CLAIM (DOC. #26) PENDING DECISION BY UNITED STATES  
SUPREME COURT IN *FACEBOOK V. DUGUID*

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On January 11, 2021, the Court issued a Decision and Entry sustaining an Amended Motion to Stay filed by Progressive Casualty Insurance Company and Progressive West Insurance Company, (collectively "Progressive"), Doc. #35. The motion to stay was sustained to preserve judicial and party resources pending a decision by the United States Supreme Court in *Facebook, Inc. v. Duguid*, 141 S. Ct. 193 (Mem), 2020 WL 3865252 (2020). The Court's Decision stayed all proceedings including two pending motions: Defendants' Motion for Judgment on the Pleadings, Doc. #25, and a Motion to Dismiss filed by Third-Party Defendant, Informa Media, Inc., Doc. #26.

Because it is unknown when the Supreme Court will decide *Facebook* the Court dismisses without prejudice to refiling Defendants' Motion for Judgment on the Pleadings, Doc. #25, and a Motion to Dismiss filed by Third-Party Defendant, Informa Media, Inc., Doc. #26. The case remains stayed and this Court's Decision and Entry, Doc. #35, remains in effect.

Date: March 31, 2021

 (tp - per Judge Rice authorization after his review)  
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WALTER H. RICE