

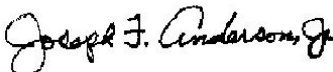
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Nexsen Pruet, LLC,)	C/A No.: 3:10-895-JFA
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Westport Insurance Corporation,)	
)	
Defendant.)	
_____)	

This matter comes before the court on Westport Insurance Corporation’s motion to dismiss. (Dkt. No. 6.) The motion has been fully briefed and the court heard oral argument on June 7, 2010. At the hearing, Westport requested and received leave to brief certain issues raised at the hearing. And those issues have now been fully briefed as well. The court has considered the parties’ briefs and the arguments at the hearing and now requests further targeted briefing. In aid of determining whether the first to file rule applies and whether allowing Nexsen Pruet LLC’s declaratory judgment action to proceed will result in piecemeal litigation, the court requests that each party submit a brief to the court of no more than 12 pages by July 29, 2010, on the question of whether William Phillip Murdock, Jr. and Allen M. Nason are necessary or indispensable parties under Rule 19. Fed. R. Civ. P. 19. Each side will be afforded a single brief, with no opportunity to file a response or reply.

IT IS SO ORDERED.

July 13, 2010
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge