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

Dunes Village Properties, LLC Plaintiff, vs. Baiden & Associates, Inc.; Frank E. Baiden, Jr. and Frank E. Baiden, III Defendants.	CA No. 4:11-cv-03511-RBH **CONSENT ORDER**

This matter is before the Court on joint motion of the parties to stay this action for sixty (60) days.

Plaintiff Dunes Village Properties, LLC ("Dunes Village") filed this action pursuant to the Racketeering Influenced and Corrupt Organization Act ("RICO"). Defendants Baiden & Associates, Inc., Frank E. Baiden, Jr. and Frank E. Baiden, III (collectively "Defendants") filed a Motion to Dismiss and/or Motion for Summary Judgment and alternatively requested a stay of this matter.

Plaintiff Dunes Village and Defendant Baiden & Associates, Inc. have been involved in parallel proceedings in South Carolina state court and in arbitration proceedings. Currently, Defendant Baiden & Associates, Inc.'s motion to confirm an arbitration decision is pending in Horry County, South Carolina state court and Plaintiff Dunes Village has noticed an appeal to the South Carolina Court of Appeals. Furthermore, the parties are engaged in meaningful discussions that would resolve all matters.

In light of these pending matters, the parties have requested that this Court stay the federal RICO action for sixty (60) days. In so moving, the parties represent that the state court proceedings and related discussions will likely have a material impact on continuation of the RICO claim.

Further, the parties have advised the Court that should this matter not be resolved at the conclusion of sixty (60) days, each party consents to the Court ruling on the pending motions without oral argument based upon the assertions set forth in the parties' written filings.

BY AND WITH THE CONSENT of the undersigned counsel, it is hereby ORDERED that this matter is stayed for sixty (60) days from the date of this Order. If this matter is still pending at the conclusion of sixty (60) days, the Court shall address all pending motions without oral argument based upon the written filings.

ORDERED, ADJUDGED and DECREED that this matter is hereby stayed for sixty (60) days.

IT IS SO ORDRED.

s/ R. Bryan Harwell
The Honorable R. Bryan Harwell
Judge, United States District Court

Florence, South Carolina
September 18, 2012

I MOVE:

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