Watkins v. Kajima International Incorporated et al Doc. 497

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL W. WATKINS, et al.	)
	)
v.	) NO. 3-08-0426
	) JUDGE CAMPBELL
KAJIMA INTERNATIONAL, INC., et al.	)

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 485) and Objections filed by the Plaintiffs (Docket No. 492). Plaintiffs have also filed a Motion to Stay All Proceedings (Docket No. 487), to which no response has been filed.

Plaintiff's Motion to Stay (Docket No. 487) is without merit and is DENIED. The later-filed lawsuit provides no basis for staying this action, which has been pending more than four years.

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Report and Recommendation as to Defendant Lockyer is adopted and approved, and all claims against Defendant Lockyer are DISMISSED. The Magistrate Judge's recommendation that the case be dismissed for failure to prosecute (with regard to Defendants Lasko, Linden, Vaga and Lucinda Watkins) is referred back to the Magistrate Judge for consideration in light of Plaintiff's recent filings (Docket Nos. 487 and 492). The Magistrate Judge shall set any deadlines needed to make further recommendation about this case.

IT IS SO ORDERED.

Todd Campbell

TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE

Dockets.Justia.com