

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

RICHARD APPELYARD, Individually, on  
Behalf of Himself and on Behalf of All Others  
Similarly Situated,

Plaintiffs,

v.

No. 1:17-cv-01188-JDB-egb

MURPHY OIL USA, INC.,

Defendant.

---

ORDER LIFTING STAY AND DIRECTING PARTIES TO ADVISE THE COURT

---

On December 21, 2017, the Defendant, Murphy Oil USA, Inc., moved to dismiss this matter or, in the alternative, to stay the case pending the United States Supreme Court's resolution of a circuit split that potentially affects the outcome of the instant action. (Docket Entry ("D.E") 11.) The parties jointly moved for a stay on January 3, 2018. (D.E. 13.) The Court granted the stay the following day. (D.E. 14.) On May 21, 2018, the Supreme Court issued its opinion in *Epic Systems Corp. v. Lewis*, \_\_\_ S. Ct. \_\_\_, 2018 WL 2292444 (U.S. May 21, 2018) (Nos. 16-285, 16-300, 16-307). Accordingly, the stay is hereby LIFTED. The parties are DIRECTED, within seven days of the entry of this order, by joint filing, to inform the Court as to how they wish to proceed.

IT IS SO ORDERED this 8th day of June 2018.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE