

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SHARON TAYLOR, ET AL.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 2:07-CV-01 (TJW)
	§	
ACXIOM CORP., ET AL.,	§	
	§	
Defendants.	§	
	§	

ORDER

Before the court are the following motions and their related briefing: Joint Motion of Defendants Reed Elsevier Inc., Seisint, Inc. and ChoicePoint Entities to Dismiss First Amended Complaint or, Alternatively, to Stay Plaintiffs’ Action, with Request for Oral Argument (Dkt. #7); and Motion of Defendant ChexSystems, Inc. to Dismiss Complaint or, Alternatively, to Stay Plaintiffs’ Action as to ChexSystems, Inc., with Request for Oral Argument and Incorporated Supporting Memorandum (Dkt. #26) (collectively, the “Motions”).

In the Motions, the defendants ask this court to dismiss, or in the alternative, stay this action in light of the parallel litigation pending in the District Court for the Southern District of Florida, *Fresco, et al. v. Automotive Directions, Inc., et al.*, Case No. 03-cv-61063-JEM (the “*Fresco* litigation”). On May 16, 2007, in the Supplemental Brief in Support of Amended Joint Motion of Defendants Reed Elsevier, Inc., Seisint, Inc. And Choicepoint entities to Dismiss First Amended Complaint or, Alternatively, to Stay Plaintiffs’ Action (Dkt. #35) (“Defendants’ Supp. Brief”), this court was notified that a nationwide class had been certified for purposes of a proposed settlement in the *Fresco* litigation. In his order, the Hon. Judge Martinez issued an injunction, under 28 U.S.C.

§ 1651 and Fed. R. Civ. P. 23, temporarily enjoining the settlement class members from continuing or taking action in any judicial proceedings against the released parties with respect to the claims covered by the proposed settlement. Ex. A to Defendants' Supp. Brief at 17. The plaintiffs "agree that a stay of proceedings in this case would be appropriate." Plaintiffs' Reply to Resp. in Further Support of Motion to Dismiss or Alternatively to Stay Action (Dkt. #37) at 2.

Therefore, it is hereby

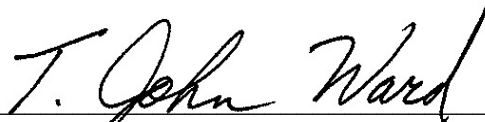
ORDERED that the Motions are GRANTED with respect to a STAY in this action. It is further

ORDERED that the plaintiffs shall promptly advise the court of any activity in the *Fresco* litigation that impacts this case. It is further

ORDERED that Plaintiffs' Motion for Default Judgment or, Alternatively Motion for Judgment on the Pleadings (Dkt. #15) is DENIED. The defendants' obligation to answer is stayed pending further order of the court. It is further

ORDERED that the balance of the pending motions to dismiss or stay (Dkt. #7, #19, #26, and #28) is DENIED WITHOUT PREJUDICE to re-urging should the stay be lifted in the future.

SIGNED this 25th day of September, 2007.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE