

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver  
for Guaranty Bank,

Plaintiff,

v.

Case No. 17-CV-734-JPS

OLD REPUBLIC INSURANCE  
COMPANY,

Defendant.

**ORDER**

On June 12, 2017, the plaintiff Federal Deposit Insurance Corporation ("FDIC") filed a motion to stay this matter. (Docket #11). The FDIC was appointed as receiver for Guaranty Bank on May 5, 2017. *Id.* at 2. It thereafter removed this action to this Court on May 25, 2017. (Docket #1). The FDIC requests that this matter be stayed for ninety days. (Docket #11 at 4). The Court is constrained to grant the request. *See* 12 U.S.C. § 1821(d)(12); *Farnik v. Fed. Deposit Ins. Corp.*, 707 F.3d 717, 722 n.2 (7th Cir. 2013). The stay will remain in place for 90 days from the date on which the FDIC was appointed as receiver. *See Praxis Props., Inc. v. Colonial Sav. Bank, S.L.A.*, 947 F.2d 49, 71 (3d Cir. 1991) (analyzing the legislative history and language of 12 U.S.C. § 1821(d)(12) and concluding that the mandatory 90-day stay is calculated from the date of appointment). The parties' preservation obligations will remain in effect throughout the duration of the stay.

Accordingly,

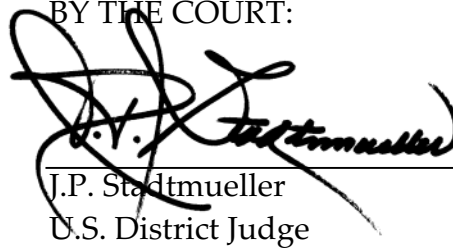
**IT IS ORDERED** that the plaintiff Federal Deposit Insurance Corporation's motion to stay (Docket #11) be and the same is hereby **GRANTED**;

**IT IS FURTHER ORDERED** that this matter be and the same is hereby **STAYED** through August 3, 2017; and

**IT IS FURTHER ORDERED** that the Scheduling Conference set for June 27, 2017 and related deadlines (Docket #10) be and the same are hereby **VACATED**.

Dated at Milwaukee, Wisconsin, this 21st day of June, 2017.

BY THE COURT:



J.P. Stadtmueller  
U.S. District Judge