

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Warner E. & Patricia Lassiter, Bella)	
Homes, LLC, a Delaware Limited Liability)	
Company,)	
)	
Plaintiff,)	
)	
v.)	
)	
JPMorgan Chase Bank, N.A., John Doe,)	
Attorneys for JPMorgan Chase Bank, N.A.)	
)	
Defendants.)	
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CIVIL ACTION FILE NO.
1:11-cv-02815-JEC-GGB

**JPMORGAN CHASE BANK, N.A.’S MOTION TO STAY CERTAIN
PRETRIAL AND DISCOVERY DEADLINES**

Defendant JPMorgan Chase Bank, N.A. (“Chase”) moves the Court for an Order staying the parties’ obligations to serve initial disclosures, to participate in a Local Rule 26 conference, to prepare and file a report of that conference and a proposed discovery plan and to participate in discovery until after the Court rules on Chase’s Motion to Dismiss filed concurrently herewith.

Resolution of Chase’s Motion to Dismiss should resolve these proceedings altogether. At the very least, it will significantly streamline these proceedings. Accordingly, staying the parties’ requirements to make initial disclosures, to prepare a discovery plan and to participate in discovery at this time is in the

interest of judicial economy and will prevent the parties from undue burden and unnecessary expense. Granting this Motion to Stay Certain Pretrial Deadlines is fully within the Court's discretion. *See Patterson v. United States Postal Serv.*, 901 F.2d 927, 929 (11th Cir. 1990) (holding district court did not abuse its discretion in staying discovery).

Thus, for the reasons set forth herein, Chase respectfully requests that the Court exercise its discretion and grant the instant Motion. Specifically, Chase requests that the following obligations – should any remain following the Court's ruling on its Motion to Dismiss – be stayed as follows:

- (a) the parties' obligation to participate in a Local Rule 26(f) conference be stayed until sixteen (16) days after Chase's deadline, if any, to file an Answer;
- (b) The parties' obligation to serve initial disclosures and file a joint preliminary report and discovery plan be stayed until thirty (30) days after Chase's deadline, if any, to file an Answer; and
- (c) The parties' obligation to participate in discovery be stayed until thirty (30) days after Chase's deadline, if any, to file an Answer.¹

For the Court's convenience, a proposed Order is attached to this Motion.

¹ This is consistent with Local Rule 26.2.

Respectfully submitted this 3rd day of October, 2011.

WARGO & FRENCH LLP

/s/ Lindsay A. Warren

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RULE 7.1(D) CERTIFICATE

The undersigned counsel certifies that this document has been prepared with one of the font and point selections approved by the Court in Local Rule 5.1(B).

Respectfully submitted this 3rd day of October, 2011.

/s/ Lindsay A. Warren
LINDSAY A. WARREN

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CERTIFICATE OF SERVICE

I hereby certify that I have on this day filed electronically via CM/ECF a true copy of the foregoing **JPMORGAN CHASE BANK, N.A.’S MOTION TO STAY CERTAIN PRETRIAL AND DISCOVERY DEADLINES** in the United States District Court for the Northern District of Georgia, with notice of same being electronically served by the CM/ECF system, addressed to the following:

Stephen M. Maurillo, Esq.
Stephen M. Maurillo & Associates, LLC
1400 Market Place Blvd, Suite 133
Cumming, GA 30041

This 3rd day of October, 2011.

/s/ Lindsay A. Warren
Lindsay A. Warren