

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

AMERICAN PULVERIZER CO., et al.,)

Plaintiffs,)

vs.)

UNITED STATES DEPARTMENT OF,)

HEALTH AND HUMAN SERVICES, et al.,)

Defendants.)

Case No. 12-3459-CV-S-RED

ORDER

Before the Court is parties' Joint Motion to Stay District Court Proceedings Pending Appeal (Doc. 43). After careful consideration, the Court **GRANTS** this motion. The above captioned case is **STAYED** until the interlocutory appeal that is currently before the Eighth Circuit Court of Appeals has been resolved and this Court has received the mandate from the Eighth Circuit Court of Appeals.

IT IS SO ORDERED.

DATED: February 20, 2013

/s/ Richard E. Dorr

RICHARD E. DORR, JUDGE

UNITED STATES DISTRICT COURT