

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

SYLVESTER BUTLER, et al.,

Plaintiffs,

vs.

Case No. 3:04-cv-917-J-32MMH

JAMES V. CROSBY, JR., et al.,

Defendants.

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**ORDER**

This case came before the Court on Defendants' Motion to Stay/Abate (Doc. #70), filed March 1, 2005. Plaintiffs filed a Response (Doc. #71) on March 8, 2005. On April 7, 2005, the Court conducted a telephonic hearing, the record of which is incorporated by reference. While the undersigned has continuing concerns about allowing this matter to proceed in tandem with the Brown action, there does appear to be authority which would permit it. Therefore, at least for now, the Court will allow it. It is

**ORDERED:**

Defendants' Motion to Stay/Abate (Doc. #70) is **DENIED** without prejudice to renewal if circumstances dictate. A Case Management and Scheduling Order will issue separately.

**DONE AND ORDERED** at Jacksonville, Florida this 14th day of April, 2005.

  
TIMOTHY J. CORRIGAN  
United States District Judge

d.  
Copies:  
All parties and counsel of record