

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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WESTERN WORLD INSURANCE)		
COMPANY,)		
)		
Plaintiff,)	Civil Action File	
)		
v.)	No. 1:12-cv-2117-AT	
)		
NARCONON OF GEORGIA, INC.,)		
NARCONON INTERNATIONAL,)		
PATRICK C. DESMOND AND MARY)		
C. DESMOND, INDIVIDUALLY,)		
AND MARY C. DESMOND AS)		
ADMINISTRATRIX OF THE ESTATE)		
OF PATRICK W. DESMOND, AND)		
NONPROFITS' INSURANCE)		
ALLIANCE OF CALIFORNIA,)		
)		
Defendants.)		
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**DEFENDANT NONPROFITS' INSURANCE ALLIANCE
OF CALIFORNIA'S MOTION TO STAY INITIAL
DISCLOSURE OBLIGATIONS AND DISCOVERY AS AGAINST IT**

COMES NOW Defendant Nonprofits' Insurance Alliance of California ("NIAC") and respectfully moves the Court to stay all discovery against it, as well as NIAC's obligation to submit initial disclosures in accordance with Local Rule

26.1A, pending a resolution of NIAC's Motion to Dismiss filed contemporaneously herewith.

NIAC shows that it has moved to dismiss the claims asserted against it on the grounds that Plaintiff Western World Insurance Company ("Western World") lacks standing bring the claims it has asserted against NIAC because Western World is neither a party to, nor a third-party beneficiary of, the policy with respect to which it seeks a declaration. As such, this Court lacks jurisdiction over the subject matter of those claims. In addition, NIAC shows that this Court lacks personal jurisdiction over it. NIAC respectfully submits that it should be excused from the burden and expense of participating in discovery and submitting initial disclosures in this matter pending a ruling on its Motion to Dismiss.

In support of this Motion, NIAC relies upon its Brief in support hereof, submitted contemporaneously herewith. For the Court's convenience, a proposed Order is attached to this Motion.

WHEREFORE, Defendant NIAC respectfully moves the Court to stay all discovery as against it, as well as its obligation to submit initial disclosures, pending a ruling on NIAC's Motion to Dismiss.

Respectfully submitted this 21st day of November, 2012.

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**ORDER GRANTING DEFENDANT NONPROFITS' INSURANCE
ALLIANCE OF CALIFORNIA'S MOTION TO STAY INITIAL
DISCLOSURE OBLIGATIONS AND DISCOVERY AS AGAINST IT**

The Court having considered the Motion of Defendant Nonprofits' Insurance Alliance of California ("NIAC") to stay its initial disclosure obligations and all discovery as against it pending a ruling on its Motion to Dismiss, the Motion is hereby GRANTED.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all discovery as against Defendant NIAC is hereby stayed pending a ruling on NIAC's Motion to Dismiss, and Defendant NIAC's obligation to submit initial disclosures required by Local Rule 26.1A are hereby stayed until thirty (30) days after the Court's ruling on NIAC's Motion to Dismiss, should the Motion not be granted.

IT IS SO ORDERED this ___ day of _____, 2012.

Amy Totenberg
Judge, United States District Court
Northern District of Georgia

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will transmit Notices of Electronic Filing generated by CM/ECF to counsel and parties who are authorized to receive electronically Notices of Electronic Filing.

By: Thomas M. Barton
Counsel for Defendant Nonprofits'
Insurance Alliance of California

LR 5.1 B CERTIFICATION OF COUNSEL

Pursuant to Local Rule 7.1D, the undersigned counsel for Defendant Nonprofits' Insurance Alliance of California hereby certifies that the foregoing **“Defendant Nonprofits' Insurance Alliance of California's Motion to Stay Discovery”** was prepared in Times New Roman 14 point font in accordance with Local Rule 5.1B.

By: Thomas M. Barton
Counsel for Defendant Nonprofits'
Insurance Alliance of California