

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-61075-CIV-ZLOCH

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

vs.

**ORDER STAYING ACTION**

AMERICAN PRECIOUS METALS, LLC,  
et al.,

Defendants.

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THIS MATTER is before the Court upon Plaintiff Commodity Futures Trading Commission's Unopposed Motion To Stay Proceeding And Continue Trial (DE 51). The Court has carefully reviewed said Motion, the entire court file herein and is otherwise fully advised in the premises.

By the instant Motion (DE 51), Plaintiff moves the Court to stay this action pending the Court's ruling on Defendants' Memorandum Of Law In Opposition To Plaintiff's Motion For Preliminary Injunction (DE 20), which the Court has construed as a Motion To Dismiss pursuant to Fed. R. Civ. P. 12(b)(6). Defendants do not object to the entry of an order staying this action.

Accordingly, after due consideration, it is

**ORDERED AND ADJUDGED** as follows:

1. Plaintiff Commodity Futures Trading Commission's Unopposed Motion To Stay Proceeding And Continue Trial (DE 51) be and the same is hereby **GRANTED**;

2. The above-styled cause be and the same is hereby **STAYED**

pending the Court's ruling on Defendants' Memorandum Of Law In Opposition To Plaintiff's Motion For Preliminary Injunction (DE 20), which the Court has construed as a Motion To Dismiss pursuant to Fed. R. Civ. P. 12(b)(6);

3. The Clerk of the United States District Court for the Southern District of Florida is hereby **DIRECTED** to mark the above-styled action closed for statistical purposes;

4. The Parties are hereby **DIRECTED** to notify the Court immediately upon any settlement in the above-styled cause; and

5. This Order shall not prejudice the rights of either party to this litigation.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 14<sup>th</sup> day of September, 2011.



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WILLIAM J. ZLOCH  
United States District Judge

Copies furnished:

All Counsel of Record