

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

EMCASCO INSURANCE COMPANY,

Plaintiff,

Vs.

No. 03-4174-SAC

DAIRYLAND INSURANCE COMPANY,  
COVENTRY HEALTH CARE OF KANSAS, INC.,  
JIM L. NUNGESSER, CAROLYN L. NUNGESSER,  
and JOSH M. BRYANT,

Defendants.

MEMORANDUM AND ORDER

This case comes before the court on plaintiff's motion to lift the stay entered by this court on March 4, 2004. On that date, this court stayed all proceedings in this case "until final judgment is entered in the parallel state court case." Having reviewed the briefs relating to this motion, the factual and procedural posture of this case, the related pleadings in federal court (No. 07-1285-WEB), and the intervening events in the parallel state court case (Sedgwick County No. 03-CV-00049), the court finds that plaintiff's motion should be denied.

IT IS THEREFORE ORDERED that plaintiff's motion to lift stay (Dk. 74) is denied.

Dated this 19<sup>th</sup> day of November, 2007, Topeka, Kansas.

s/ Sam A. Crow

Sam A. Crow, U.S. District Senior Judge