

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

GORDON RAY PARKER,)
)
 Plaintiff,)
)
 v.) C.A. No. 06-229 SLR
)
 LEARN THE SKILLS CORP., *et al.*,)
)
 Defendants.)

MOTION OF DEFENDANTS LEARN THE SKILLS CORP., PAUL J. ROSS AND STRAIGHTFORWARD, INC. (1) TO STAY THIS ACTION PENDING RESOLUTION OF RELATED LITIGATION IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA AND THE U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT, (2) TO DISMISS FOR FAILURE TO STATE A CLAIM AND LACK OF PERSONAL JURISDICTION, AND (3) TO DEFER BRIEFING ON THE MOTION TO DISMISS

Defendants Learn the Skills Corp., Paul J. Ross and Straightforward, Inc. (collectively, “Defendants”) hereby move the Court (1) to stay this action pending resolution of related litigation in the U.S. District court for the Eastern District of Pennsylvania and the U.S. Court of Appeals for the Third Circuit, (2) to dismiss for failure to state a claim and (as to defendant Paul J. Ross) for lack of personal jurisdiction, and (3) to defer briefing on the motion to dismiss.

The grounds and bases for this motion are fully set forth in Defendants’ opening brief in support of this motion, filed contemporaneously herewith.

Dated: April 28, 2006

Respectfully submitted,

/s/ David L. Finger

David L. Finger (DE Bar ID #2556)

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Attorney for defendants Learn the Skills Corp.,

Paul J. Ross and Straightforward, Inc.

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 Defendants.)

ORDER

On this ____ day of _____, 2006, having considered the submissions and the arguments of the parties, IT IS HEREBY ORDERED THAT:

1. Defendants' Motion to Stay is GRANTED. This action is hereby stayed pending resolution of (a) the Motion for Reconsideration filed in Civil Action No. 05-cv-02752-HB, pending in the U.S. District Court for the Eastern District of Pennsylvania, and (b) the appeal of said action to the U.S. Court of Appeals for the Third Circuit.
2. Defendants' Motion to Defer Briefing on their Motion to Dismiss is GRANTED.
3. The parties shall notify the Court once the proceedings described in numbered paragraph 1 above are completed. If the proceedings in Pennsylvania result in a reversal of the dismissal of that action, plaintiff shall advise the Court and opposing counsel within ten (10) days after such reversal whether plaintiff intends to dismiss this action voluntarily. If plaintiff fails to provide the requested notice in a timely manner, the Court shall dismiss this action.

4. If, in the event of a reversal, plaintiff does not elect to dismiss this action voluntarily, defendants shall have twenty (20) days after plaintiff files and serves the notice set forth in numbered paragraph 3 above to file and serve any brief they desire in support of a motion to dismiss. Plaintiff shall have ten (10) days thereafter to file and serve an answering brief, and defendants shall have five (5) days to file a reply brief.

5. In the event that the proceedings in Pennsylvania do not result in a reversal, defendants shall have twenty (20) days from the issuance of the decision of the Third Circuit to file and serve either a brief in support of their motion to dismiss, or an Answer to the Complaint. Plaintiff shall have ten (10) days to file an answering brief, and defendants shall have five (5) days to file a reply brief.

Robinson, J.

CERTIFICATE OF SERVICE

I, David L. Finger, hereby certify that on this 28th day of April, 2006, I caused two copies of the foregoing document to be served via first class mail, postage prepaid, on the below-listed party:

Gordon Roy Parker, *pro se*
4247 Locust Street, #806
Philadelphia, PA 19104

/s/ David L. Finger
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