

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**BOBBIE JAMES *et al.*,**

**Plaintiffs,**

**v.**

**GLOBAL TEL\*LINK CORPORATION,  
INMATE TELEPHONE SERVICE, and  
DSI-ITI LLC,**

**Defendants.**

Docket No.: 13-4989-WJM-MF

**ORDER**

**THIS MATTER** comes before the court on the Defendants' motion to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6). For the reasons set forth in the accompanying opinion; and for good cause appearing,

**IT IS** on this 8<sup>th</sup> day of September 2014, hereby,

**ORDERED** that Defendants' motion to dismiss the Complaint is hereby **DENIED**; and it is further

**ORDERED** that the case shall be stayed pending one of the following:

- 1.) The Federal Communications Commission determines whether the charges and practices that Plaintiffs challenge violated the Federal Communications Act, 42 U.S.C. § 201;
- 2.) Plaintiffs voluntarily dismiss their Federal Communications Act cause of action;
- 3.) The court dismisses the Federal Communications Act cause of action; or

4.) Either party petitions the court with other good cause to lift the stay; and it is further

**ORDERED** that Plaintiffs shall file an administrative complaint with the Federal Communications Commission within 90 days of the D.C. Circuit's filing of the opinion in the pending appeal, *Global Tel\*Link v. FCC*, No. 13-1281; and it is further

**ORDERED** that should Plaintiffs fail to file an administrative complaint with the Federal Communications Commission within 90 days of the D.C. Circuit's filing of the opinion in the pending appeal, *Global Tel\*Link v. FCC*, No. 13-1281, the Defendants may petition the court to dismiss the Federal Communications Act cause of action for lack of prosecution.

/s/ William J. Martini

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**WILLIAM J. MARTINI, U.S.D.J.**