

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

SBP LLLP, an Idaho limited liability
limited partnership; JRS PROPERTIES III
LP, an Idaho limited partnership; and J.R.
SIMPLOT FOUNDATION, INC., an
Idaho corporation,

Plaintiffs,

v.

HOFFMAN CONSTRUCTION
COMPANY OF AMERICA, an Oregon
corporation,

Defendant.

Case No. 1:19-cv-00266-DCN

**MEMORANDUM DECISION AND
ORDER**

I. INTRODUCTION

Pending before the Court is SBP LLLP (“SBP”), JRS Properties III LP (“JRS”), and J.R. Simplot Foundation, Inc.’s (“Foundation”) (collectively, “Plaintiffs”) Request for Extension of Preliminary Injunction Order. Dkt. 29. The Court finds good cause to GRANT Plaintiffs’ Request for Extension of Preliminary Injunction.

For the same reasons set forth in its initial Order (Dkt. 27) granting Plaintiffs’ Motion for Temporary Restraining Order and Preliminary Injunction (Dkt. 24), the Court grants Plaintiffs’ request to extend the stay on arbitration. However, Plaintiffs request that this stay extend until the date on which the Court issues its decision regarding whether

Plaintiffs agreed to arbitrate this action. The parties' stipulated litigation plan establishes that the earliest the Court might hold the bench trial on this matter to decide this issue is June 2020. Dkt. 28. Because Hoffman currently does not object to the Court extending the preliminary injunction for that length of time (Dkt. 31), the Court shall grant Plaintiffs' request. However, if at any time Hoffman changes its posture and objects to the length of the extension, the Court shall revisit this matter.

II. ORDER

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Request for Extension of Preliminary Injunction (Dkt. 29) is GRANTED.
2. Arbitration shall be STAYED until the Court issues its decision regarding whether Plaintiffs agreed to arbitrate this matter, unless Hoffman objects to the length of the extension of the stay or the Court otherwise orders.



DATED: January 17, 2020


David C. Nye
Chief U.S. District Court Judge