

ST. PAUL FIRE & MARINE INSURANCE CO. v.
MURRAY GUARD, INC.

99-515

9 S.W.3d 501

Supreme Court of Arkansas
Opinion delivered February 3, 2000

APPEAL & ERROR — MOTION TO LIFT STAY & CONSOLIDATE DENIED WITHOUT PREJUDICE — CASE REASSIGNED TO SUPREME COURT. — The supreme court denied appellant's motion to lift stay and consolidate without prejudice, reassigning the present case, which was docketed in the court of appeals, to the supreme court.

Motion to Lift Stay and Consolidate; denied without prejudice.

Barrett & Deacon, A Professional Association, by: *D.P. Marshall Jr.* and *James F. Gramling*, for appellant.

No response.

PER CURIAM. [1] In response to appellant's motion to lift the stay in the above-styled case, now docketed in the court of appeals, and to consolidate with *NationsBank v. Murray Guard*, case no. 99-891, filed with this court, we deny the motion without prejudice. We recognize that the similarity of the two cases, each arising from substantially the same set of facts, presents a potential for inconsistent decisions, and for that reason, we are reassigning case no. 99-515 to this court, without consolidating the two cases at this time.

Motion denied.

GLAZE, and IMBER, JJ., not participating.
