

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**MICHEL LUKAS, MOUSSA KOUYAT,
and JOHN ANDERSON *on behalf of
themselves and all others similarly situated,***

Plaintiffs,

v.

EVIG, LLC d/b/a Balance of Nature,

Defendant.

Case No: 2:23-cv-08678-NRM-ST

PLAINTIFFS' UNOPPOSED MOTION TO STAY PROCEEDINGS

Plaintiffs Michel Lukas (“Plaintiff Lukas” or “Mr. Lukas”), Moussa Kouyat (“Plaintiff Kouyat” or “Mr. Kouyat”), and John Anderson (“Plaintiff Anderson” or “Mr. Anderson”) (collectively “Plaintiffs”), on behalf of themselves and all others similarly situated, by and through their undersigned counsel, respectfully submit this Motion to Stay Proceedings, and in support of their Motion, state as follows:

1. Plaintiffs’ deadline to respond to Defendant’s Motion to Dismiss Plaintiffs’ Second Amended Complaint is July 7, 2025.

2. Plaintiffs are currently engaged in a potential resolution of their participation in the Missouri Class Action Settlement.¹ Should Plaintiffs resolve their issues and the Missouri state court then certifies a class, Plaintiffs would then voluntarily dismiss their claims here with prejudice.

¹ *Powell v. Evig, LLC d/b/a Balance of Nature*, Case No.: 2422-cc-00555.

3. Accordingly, Plaintiffs request a stay of the instant action pending final resolution of the Missouri Class Action Settlement, including any appeal thereof.

4. Defendant does not oppose Plaintiffs' request for a stay.

For the foregoing reasons, Plaintiffs respectfully request that this Honorable Court grant the Motion and stay the proceedings.

Dated: July 3, 2025

By: /s/ D. Aaron Rihn
D. Aaron Rihn, Esquire
PA Bar ID No.: 85752 (Admitted *Pro Hac Vice*)
ROBERT PEIRCE & ASSOCIATES, P.C.
437 Grant Street, Suite 1100
Pittsburgh, PA 15219
Tel: 412-281-7229
Fax: 412-281-4229
Email: arihn@peircelaw.com

Counsel for Plaintiffs and Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed via the Court's CM/ECF system on this 3rd day of July 2025 and is available for download by all counsel of record.

/s/ D. Aaron Rihn

D. Aaron Rihn, Esquire
Counsel for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

**MICHEL LUKAS, MOUSSA KOUYAT,
and JOHN ANDERSON *on behalf of
themselves and all others similarly situated,***

Plaintiffs,

v.

EVIG, LLC d/b/a Balance of Nature,

Defendant.

Case No: 2:23-cv-08678-NRM-ST

(PROPOSED) ORDER

AND NOW, on this _____ day of July 2025, it is hereby ORDERED, DECREED
and ADJUDGED that Plaintiffs' Unopposed Motion to Stay Proceedings pending final resolution
of the Missouri Class Action Settlement is GRANTED.

Dated: July 3, 2025

By: /s/ D. Aaron Rihn
D. Aaron Rihn, Esquire
PA Bar ID No.: 85752 (Admitted *Pro Hac Vice*)
ROBERT PEIRCE & ASSOCIATES, P.C.
437 Grant Street, Suite 1100
Pittsburgh, PA 15219
Tel: 412-281-7229
Fax: 412-281-4229
Email: arihn@peircelaw.com

Counsel for Plaintiffs and Proposed Class