

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**WHITE CAPS CONDOMINIUM  
ASSOCIATION, INC.,**

**Plaintiff,**

**vs.**

**UNITED SPECIALTY INSURANCE  
COMPANY, et al.,**

**Defendants.**

**CIVIL ACTION NO. 22-00420-KD-M**

**ORDER**

This action is before the Court on the parties' joint motion to stay (doc. 14). The parties report that they have reached a settlement. They jointly move the Court for a forty-five (45) day stay to allow time to finalize their settlement agreement.

In general, a district court may stay an action as a means of controlling its docket and managing its cases. Ortega Trujillo v. Conover & Co. Communications, Inc., 221 F.3d 1262, 1264 (11th Cir. 2000) (citation omitted) (a district court has "broad discretion to stay proceedings as an incident to its power to control its own docket"). However, the "district court must limit properly the scope of the stay" and the stay "must not be 'immoderate.'" Id. "In exercising this discretion, district courts have considered such factors as: (1) whether the litigation is at an early stage; (2) whether a stay will unduly prejudice or tactically disadvantage the non-moving party; (3) whether a stay will simplify the issues in question and streamline the trial; and (4) whether a stay will reduce the burden of litigation on the parties and on the court." SE Property Holdings, LLC v. Saint Family Limited Partnership, 2017 WL 1628898, at \*11 (S.D. Ala., 2017).

Here, factors one, two, and three weigh in favor of granting the motion to stay. This action is at an early stage. Defendants have not yet answered or otherwise responded to the complaint. Therefore, the Court has not entered a Rule 16(b) Scheduling Order. Also, the parties jointly move. Thus, there is no concern as to prejudice or tactical disadvantage of the non-moving party. Last, the parties report that a stay is necessary to provide time to finalize a settlement agreement. Settlement will reduce the burden of litigation.

Upon consideration and for the reasons set forth herein, the motion is GRANTED. Accordingly, this action is stayed until **January 16, 2023**. The parties are ORDERED to file a joint report on or before **January 9, 2023**, to advise the Court as to the status of this action.

Done and ordered this 21st day of November 2022.

s/ Kristi K. DuBose  
KRISTI K. DuBOSE  
UNITED STATES DISTRICT JUDGE