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United States District Court
Central District of California

CESAR ARDON et al.,
Plaintiffs,
v.
3PD Inc.; DOES 1–2, inclusive,
Defendants.

Case No. 5:13-cv-01758-ODW(DTBx)

**ORDER DENYING JOINT
REQUEST TO FURTHER STAY
PROCEEDINGS [29]**

On February 14, 2014, the parties filed their joint scheduling report as required by Federal Rule of Civil Procedure 26(f). In that report, Defendant 3PD Inc. noted that there is an arbitration clause in the employment agreement at issue. At the February 24, 2014 scheduling conference, the Court raised the issue of whether this matter properly belonged in arbitration in light of that clause. The parties agreed to brief the issue.

On March 3, 2014, the parties stipulated to stay the proceedings so that they could engage in early settlement negotiations. (ECF No. 26.) Wanting to encourage an amicable resolution of the matter, the Court granted the request and stayed the action until May 2, 2014. (ECF No. 27.)

On May 2, 2014, the parties responded by requesting a further stay until June 6, 2014. (ECF No. 29.) While the parties indicate that “settlement discussions have been somewhat slowed due to the time-consuming nature of Defendant’s data

1 collection efforts,” they do not state exactly what, if any, settlement negotiations they
2 have engaged in. The tenor of their status report seems to indicate that they simply
3 took the Court’s previous Order as a two-month hiatus in case prosecution so that they
4 could handle informal discovery. That is not what the Court approved.

5 Since it is not apparent that the parties are going to start, continue, or otherwise
6 engage in settlement efforts at this time, the Court **DENIES** the parties’ request for a
7 further stay. The Court **LIFTS** the stay in this action and **SETS** a status/scheduling
8 conference for **Monday, June 9, 2014**. The Court strongly encourages the parties to
9 continue their own settlement discussions unhindered by this Order. But the parties
10 should be prepared to address the Court’s arbitration concerns as well as their efforts
11 since the past status conference. The Court accordingly **ORDERS** the parties to
12 submit a revised Rule 26(f) report by **Monday, June 2, 2014**. This report should also
13 include a joint status report covering the period since the last status conference.

14 **IT IS SO ORDERED.**

15
16 May 6, 2014

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19 **OTIS D. WRIGHT, II**
20 **UNITED STATES DISTRICT JUDGE**