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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**SILVIA LOPEZ,**

**Plaintiff,**

**v.**

**GENEVIEVE SHIROMA, an individual;  
CATHRYN RIVERA-HERNANDEZ, an  
individual; J. ANTONIO BARBOSA, an  
individual; SILAS SHAWVER, an individual;  
and DOES 1-20,**

**Defendants.**

**1:14-CV-00236-LJO-GSA**

**MEMORANDUM DECISION AND  
ORDER RE DEFENDANTS’ EX PARTE  
APPLICATION TO SHORTEN TIME  
FOR BRIEFING (DOC. 31)**

On August 6, 2014 Parties in the above-captioned case agreed by stipulation to stay proceedings before this Court, pending the outcome of Defendants’ appeal of this Court’s decision, Doc. No. 20, denying Defendants absolute immunity. Doc. No. 22. On August 19, Plaintiff moved this Court to appoint an expert special master to take possession of ballots from the contested union election that is the subject of her lawsuit (“Motion for Special Master”). Doc. No. 24. Shortly thereafter, Defendants filed a motion to enforce the stay and strike Plaintiff’s Motion for a Special Master from the record. (“Motion to Enforce Stay”). Doc. No. 30. Defendants simultaneously filed an Ex Parte Application to Shorten Time (“Application”), Doc. No. 31, requesting that this Court shorten the briefing schedule on their Motion to Enforce Stay, so that a ruling might be delivered prior to briefing deadlines for Plaintiff’s Motion. Plaintiff opposes this on the basis that there are no exigent circumstances warranting

1 shortened time and that Plaintiff would be highly prejudiced by the briefing schedule proposed by  
2 Defendants. Doc. No. 33.

3 Defendant's Motion to Enforce Stay challenges this Court's jurisdiction over the matter raised in  
4 Plaintiff's Motion for a Special Master. Thus, this Court finds that judicial economy is served by  
5 resolving the Motion to Enforce Stay before the Motion for Special Master. In contrast, neither judicial  
6 nor party economy would be served by adopting Plaintiff's suggested approach, which would permit  
7 Defendants to raise jurisdictional objections in response to the Motion for Special Master. *See United*  
8 *States v. U.S. Dist. Court for N. Mariana Islands*, 694 F.3d 1051, 1058 (9th Cir. 2012), as amended  
9 (Oct. 16, 2012) (“[A] district court has inherent power to control the disposition of the causes on its  
10 docket with economy of time and effort for itself, for counsel, and for litigants.”).

11 However, the Court also agrees with Plaintiff that no exigent circumstances exist that require an  
12 accelerated briefing schedule. Thus, the Court will grant Plaintiff the additional time she requested to  
13 respond.<sup>1</sup> Because Plaintiff's Motion to Enforce Stay may be mooted by resolution of Defendant's  
14 Motion for Special Master, the hearing and briefing schedule for Plaintiff's Motion for Special Master is  
15 VACATED, and will be reset as necessary, pending the resolution of Defendant's Motion to Enforce  
16 Stay. The briefing schedule on Plaintiff's Motion for Special Master is suspended until further notice.

### 17 **CONCLUSION AND ORDER**

18 For the reasons discussed above and pursuant to Federal Rule of Civil Procedure 6(b) and Local  
19 Rule 144(e), the Court GRANTS Defendants' Ex Parte Application to Shorten Time for Briefing.

20 The Court hereby orders that Defendants' Motion, Doc. No. 30, will be briefed according to the  
21 following schedule:

22 Plaintiff's brief in opposition to Defendant's Motion to Enforce Stay, if any, shall be filed no  
23 later than Friday, September 12, 2014.

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24  
25 <sup>1</sup> Plaintiff urges this Court to deny Defendants an opportunity to reply in support of their Motion to Enforce Stay. As Plaintiff  
26 notes, no exigent circumstances exist. Therefore, the Court sees no reason to deny Defendants an opportunity customarily  
afforded to parties in this Court.

1 Defendants' reply brief in support of the Motion to Enforce Stay shall be filed no later than  
2 Friday, September 19, 2014.

3 No hearing is set for this matter.

4 The Hearing on Plaintiff's Motion for Special Master, Doc. No. 24, is VACATED and the  
5 briefing schedule suspended until further notice.

6  
7 IT IS SO ORDERED.

8 Dated: August 28, 2014

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE