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

BATES, et al.,  
Plaintiffs,  
v.  
ARNOLD SCHWARZENEGGER, et al.,  
Defendants.

Case No. 1:14-cv-02085-LJO-SAB  
ORDER STAYING ACTION

Plaintiffs filed this action on December 29, 2014 alleging deliberate indifference to conditions of confinement for being housed in an area where they contracted Valley Fever. This action was referred to the magistrate judge pursuant to Local Rule 302.

On July 7, 2015, this action was related to Smith v. Schwarzenegger, No. 1:14-cv-00060-SAB. This action appears to meet the requirements for consolidation with Smith.

On January 16, 2015, this Court held an informal conference with the parties in Smith and found that consolidating further cases into the action at this time would further delay the action. “The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.” Clinton v. Jones, 520 U.S. 681, 706 (1997). This “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” Landis v. N. Am. Co., 299 U.S. 248, 254 (1936). Here, staying the action to permit the motion

1 to dismiss in Smith to be decided will not dispose of any claims or defenses or deny Plaintiffs  
2 any relief sought. S.E.C. v. CMKM Diamonds, Inc., 729 F.3d 1248, 1260 (9th Cir. 2013) (A  
3 magistrate judge has the authority to issue a stay where the stay does not dispose of any claims or  
4 defenses or deny the party any ultimate relief sought). The parties are advised that the stay of  
5 this action does not affect the inmate's right to obtain his prison records.

6 For the reasons stated in the order issued in Smith v. Schwarzenegger, No. 1:14-cv-  
7 00060-SAB, this Court exercises its discretion to stay this action pending resolution of the  
8 motion to dismiss in Smith. Id. at ECF No. . Accordingly, IT IS HEREBY ORDERED that this  
9 action is STAYED until further order of the Court.

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11 IT IS SO ORDERED.

12 Dated: January 22, 2015

  
UNITED STATES MAGISTRATE JUDGE

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