

1 with economy of time and effort for itself, for counsel, and for litigants.” Landis v. North American
2 Co., 299 U.S. 248, 254 (1936); see also Gold v. Johns–Manville Sales Corp., 723 F.2d 1068, 1077 (3d
3 Cir.1983) (holding that the power to stay proceedings comes from the power of every court to manage
4 the cases on its docket and to ensure a fair and efficient adjudication of the matter at hand). This is
5 best accomplished by the “exercise of judgment, which must weigh competing interests and maintain
6 an even balance.” Landis, 299 U.S. at 254–55. In determining whether a stay is warranted, courts
7 consider the potential prejudice to the non-moving party; the hardship or inequity to the moving party
8 if the action is not stayed; and the judicial resources that would be saved by simplifying the case or
9 avoiding duplicative litigation if the case before the court is stayed. CMAX, Inc. v. Hall, 300 F.2d
10 265, 268 (9th Cir.1962).

11 As noted above, the case in the Central District, Grillo v. Key Energy Services, LLC, No. 2:14-
12 cv-00881 AB AGR, raises issues in common with the instant matter. Defendant notes, “the *Torres*
13 Action involves claims for unpaid wages, non-compliant wage statements, and unpaid meal period
14 premiums, each of which the plaintiffs in the *Grillo* Action are attempting to certify through the
15 Motion for Class Certification. Thus, the outcome of the Motion for Class Certification will dictate
16 whether and on behalf of whom the claims in the *Torres* Action may proceed. To avoid duplicative
17 efforts by the Parties and the Court, the Court should stay the *Torres* Action pending resolution of the
18 Motion for Class Certification.” (Doc. 18 at 2) In addition, the Court notes that the Grillo matter
19 raises a PAGA claim which is also raised here.

20 Considering the factors set forth above, the Court finds that staying the action would pose no
21 hardship on any party; to the contrary it would relieve the hardship on Defendant from having to
22 engage in discovery that would duplicate the Grillo discovery. Likewise, it would relieve Plaintiff
23 from having to expend resources to discover this case when, it appears, his rights—and those of the
24 class he seeks to represent—may be vindicated in the Grillo matter. There appears to be no claim that
25 prejudice would result from the stay and, in light of the discovery effort expended in the Grillo matter,
26 it does not appear there is any risk of prejudice. Finally, allowing the difficult class issues to be
27 resolved in the Central District without duplicating this effort here, is a wiser use of judicial resources
28 and would conserve the very limited resources existing in the Eastern District. Thus, the matter will

1 be **STAYED**.

2 **ORDER**

3 Based upon the foregoing, the Court **ORDERS**:

4 1. The matter is **STAYED**;

5 2. **No later than September 7, 2015 and every 45 days thereafter until the stay is**
6 **lifted**, the parties **SHALL** file a joint statement that details the status of the Grillo v. Key Energy
7 Services, LLC, No. 2:14-cv-00881 AB AGR matter and describes their positions on whether the stay
8 should be lifted.

9
10 IT IS SO ORDERED.

11 Dated: **May 19, 2015**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE