



1 The defendants request the Court stay the matter to allow the criminal proceedings to conclude.  
2 (Doc. 5-1 at 2-6) Mr. Fajardo indicates he has no objection to the Court staying the matter. (Doc. 6)

3 A district court has the inherent power to stay its proceedings. This power to stay is  
4 “incidental to the power inherent in every court to control the disposition of the causes on its docket  
5 with economy of time and effort for itself, for counsel, and for litigants.” Landis v. North American  
6 Co., 299 U.S. 248, 254 (1936); see also Gold v. Johns–Manville Sales Corp., 723 F.2d 1068, 1077 (3d  
7 Cir.1983) (holding that the power to stay proceedings comes from the power of every court to manage  
8 the cases on its docket and to ensure a fair and efficient adjudication of the matter at hand). This is  
9 best accomplished by the “exercise of judgment, which must weigh competing interests and maintain  
10 an even balance.” Landis, 299 U.S. at 254–55. In determining whether to issue a stay, courts consider  
11 the potential prejudice to the non-moving party; the hardship or inequity to the moving party if the  
12 action is not stayed; and the judicial resources that would be saved by simplifying the case or avoiding  
13 duplicative litigation if the case before the court is stayed. CMAX, Inc. v. Hall, 300 F.2d 265, 268  
14 (9th Cir.1962).

15 The Court finds the parties’ and the Court’s resources would be preserved if the matter was  
16 stayed pending the conclusion of the criminal matter. In addition, the Court finds that the Younger<sup>2</sup>  
17 doctrine may require the stay and the interests set forth in Heck v. Humphrey, 512 U.S. 477 (1994),  
18 likewise may be implicated if a stay is not granted. Finally, the Court is unaware of any hardship or  
19 inequity that would result thereby. Thus, the Court **ORDERS**:

- 20 1. The hearing on the motion to stay is **VACATED**;
- 21 2. The case is **STAYED**;
- 22 3. Every 60 days, the parties **SHALL** file a joint report setting forth the status of the  
23 matter and detailing whether the Court should lift the stay;
- 24 4. Within 20 days of the resolution of the criminal matter in the trial court, counsel  
25 **SHALL** file a joint report setting forth the outcome criminal charges and whether there will be an  
26 appeal;

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<sup>2</sup> Younger v. Harris, 401 U.S. 37 (1971).

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4. All pending dates and hearings are **VACATED**.

IT IS SO ORDERED.

Dated: June 30, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE