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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIELS SHARPSMART, INC.,

 Plaintiff,

 v.

KAREN SMITH, et al.,

 Defendants.

Case No. 1:17-cv-00403-LJO-SAB

ORDER DIRECTING PARTIES TO FILE
MOTION TO STAY WITHIN FOURTEEN
DAYS

(ECF No. 39)

Plaintiff Daniel Sharpsmart, Inc. filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 20, 2017, against Defendants Karen Smith, Richard Pilorin, Alison Dabney, and Ginger Hilton. (ECF No. 1.) On May 9, 2017, Plaintiff filed a motion for a preliminary injunction. (ECF No. 11.) On May 11, 2017, Defendants filed a motion to dismiss. (ECF No. 12.) On June 13, 2017, District Judge Lawrence J. O’Neil granted Plaintiff’s motion for a preliminary injunction and denied Defendants’ motion to dismiss. (ECF No. 23.) On July 12, 2017, Defendants filed a notice of appeal (ECF No. 29.)

On July 14, 2017, the action was referred to the Voluntary Dispute Resolution Program (“VDRP”) based on the stipulation of the parties. (ECF Nos. 32, 33.) On September 30, 2017, the parties filed a joint status report. (ECF No. 39.) The joint status report states that the action was not resolved or settled during VDRP. The parties agree that this action should be stayed pending resolution of the pending appeal and will be filing a motion to stay the action.

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Based on the foregoing, IT IS HEREBY ORDERED that the parties shall file a motion to stay this action within fourteen (14) days of the date of service of this order.

IT IS SO ORDERED.

Dated: September 15, 2017



UNITED STATES MAGISTRATE JUDGE