

1 an action, the Court must the weigh competing interests that will be affected by the grant or refusal to
2 grant a stay. CMAX, Inc. v. Hall, 300 F.2d 265, 268 (9th Cir. 1962). Among these competing
3 interests are: (1) the possible damage from the granting of a stay; (2) the hardship or inequity a party
4 may suffer in being required to go forward; (3) the orderly course of justice measured in terms of
5 simplifying or complicating of issues, proof, and questions of law which could be expected to result
6 from a stay; (4) “ the interests of the plaintiffs in proceeding expeditiously with this litigation;” and (5)
7 “the convenience of the court in the management of its cases and the efficient use of judicial
8 resources.” Id.; Fed Sav. & Loan Ins. Corp. v. Molinaro, 889 F.2d 899, 903 (9th Cir. 1989).

9 The party seeking a stay “bears the burden of establishing its need.” Clinton v. Jones, 520 U.S.
10 681, 708 (1997) (citing Landis, 299 U.S. at 255). The Supreme Court explained, “If there is even a
11 fair possibility that the stay . . . will work damage to some one else,” the party seeking the stay “must
12 make out a clear case of hardship or inequity.” Landis, 299 U.S. at 255. The decision whether to
13 grant or deny a stay is committed to the Court’s discretion. Dependable Highway Express, Inc. v.
14 Navigators Ins. Co., 498 F.3d 1059, 1066 (9th Cir. 2007).

15 As noted above, the check-box form fails to address the relevant federal factors and the box
16 that *is* checked fails to address any relevant factor the Court must address. Thus, the defendant has
17 failed to demonstrate that a stay is justified. Thus, the request for the stay is **DENIED**.

18
19 IT IS SO ORDERED.

20 Dated: September 15, 2017

/s/ Jennifer L. Thurston
21 UNITED STATES MAGISTRATE JUDGE