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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE S. LOUIE,

Plaintiff,

No. 2:11-cv-00108 JAM KJN PS

v.

STOMER FAMILY 2000 REVOCABLE
TRUST dba STROMER REALTY, et al.,

Defendants.

ORDER

_____ /
This case has been closed since December 14, 2011 (Dkt. No. 51). However, pending before the court is a motion to set aside the dismissal of this case filed by intervening non-party lien claimant, Elena Sadur (Dkt. No. 52).¹ The court has required multiple rounds of briefing in regards to Sadur’s motion. Most recently, the court ordered plaintiff and Sadur to each file a supplemental brief addressing topics outlined in that order, which would assist the court in finally resolving the pending motion. (See Order, June 12, 2012, Dkt. No. 91.)

On June 21, 2012, however, plaintiff filed what is essentially an ex parte request for a stay of proceedings, which explains that plaintiff is seriously ill and cannot appropriately

_____ /
¹ This action proceeds before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

1 respond to the court's June 12, 2012 order (Dkt. No. 92).² Plaintiff seeks a stay of at least six
2 months in light of his impending treatment for, among other serious health problems, his recently
3 diagnosed metastatic squamous cell carcinoma. Plaintiff submitted letters from three of his
4 treating health professionals, including a surgical oncologist, substantiating plaintiff's health
5 maladies and the concomitant extended course of treatment to attempt to cure plaintiff's cancer.

6 Upon review of plaintiff's request, the court stays the briefing of Sadur's motion
7 to set aside the dismissal and closure of this case. Plaintiff's submissions support the severity of
8 his illnesses and the significant and extended treatment required. Additionally, there appears to
9 be no risk of prejudice to Sadur given that she is pursuing her liens in other cases where plaintiff
10 is represented by counsel. (See, e.g., Louie v. Dialysis Clinic, Inc., No. 2:10-cv-02113 JAM KJN
11 (E.D. Cal.).)³

12 The undersigned notes that plaintiff very frequently files lawsuits in this court,
13 proceeding with counsel in some cases and proceeding without counsel in others. Indeed,
14 plaintiff opened a case in this court on June 20, 2012. (Louie v. City of Yuba, 2:12-cv-01643
15 LKK KJN (E.D. Cal.)) Were plaintiff pursuing other claims pro se while also seeking a six-
16 month stay of the briefing in this case, the undersigned would be inclined to deny plaintiff's
17 request for a stay. However, it appears that plaintiff's only remaining open cases in this court are
18 those where plaintiff is represented by counsel.

19 Accordingly, IT IS HEREBY ORDERED that:

20 1. Plaintiff's request for a stay of proceedings (Dkt. No. 92) is granted, and
21 the briefing on lien claimant Elena Sadur's motion to set aside the dismissal of this case is stayed
22 for approximately six months.

23 ² Although the court received plaintiff's request on June 21, 2012, that request was, for some
24 unknown reason, not docketed until June 27, 2012.

25 ³ In Louie v. Dialysis Clinic, Inc., plaintiff is suing the facility where he receives dialysis
26 treatment. Ironically, a Nephrology Social Worker from Dialysis Clinic, Inc. is one of the health
professionals who wrote a letter in support of plaintiff's request for a stay in this case.

