

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

CALIFORNIA DEPARTMENT OF TOXIC
SUBSTANCES CONTROL and the TOXIC
SUBSTANCES CONTROL ACCOUNT,

Plaintiffs,

v.

JIM DOBBAS, INC. a California
corporation; CONTINENTAL RAIL,
INC., a Delaware corporation;
DAVID VAN OVER, individually;
PACIFIC WOOD PRESERVING, a
dissolved California
corporation; WEST COAST WOOD
PRESERVING, LLC., a Nevada
limited liability company; and
COLLINS & AIKMAN PRODUCTS, LLC,
a Delaware limited liability
company,

Defendants.

No. 2:14-CV-00595 WBS EFB

ORDER RE: MOTION TO STAY

-----oo0oo-----

Before the court is Century Indemnity Company
("Century"), Allianz Underwriters Insurance Company, Chicago
Insurance Company, and Fireman's Fund Insurance Company


1 (collectively, "Allianz") and The Continental Insurance Company
2 ("Continental") (collectively, "Proposed Intervenors") motion to
3 temporarily stay proceedings in this court as they appeal the
4 denial of their motions to intervene and vacate C&A Products'
5 default. (Docket No. 244.)

6 A federal court can stay a proceeding pending the
7 outcome of an interlocutory appeal. See Nken v. Holder, 556 U.S.
8 418, 421 (2009). The power to stay proceedings is "incidental to
9 the power inherent in every court to control the disposition of
10 the cases on its docket with economy of time and effort for
11 itself, for counsel, and for litigants." Landis v. N. Am. Co.,
12 229 U.S. 248, 254 (1936). In the interests of judicial economy
13 and based on the court's determination that minimal, if any,
14 prejudice to plaintiff would result from a stay, the court will
15 grant the motion to stay pending appeal.

16 Accordingly, all proceedings in this case are hereby
17 STAYED pending Proposed Intervenors' appeal. The Status
18 Conference set for March 2, 2020 (Docket No. 239) is VACATED.

19 IT IS SO ORDERED.

20 Dated: February 25, 2020


21 WILLIAM B. SHUBB
22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27
28