

1 Docket No. 41.) The only remaining count - Count 6 (Retaliation
2 in Violation of the Federal False Claims Act (31 U.S.C. §
3 3730(h)) - is subject to an arbitration agreement, of which
4 plaintiff-relator only recently became aware. (See Docket No. 38
5 at ¶ 4.) The United States, California, Texas and the California
6 Department of Insurance are not interested parties to Count 6 of
7 the complaint. (See id. at ¶ 5.) Plaintiff-Relator now seeks to
8 stay Count 6 during the arbitration process. (See id. at ¶¶ 10-
9 11.) Plaintiff-Relator also requests that the court retain
10 jurisdiction of the matter and that any party may file a petition
11 with this court to enforce the arbitrator' decision. (See id.)

12 The court believes that an order staying this case,
13 rather than dismissing it outright as Amgen suggests, is
14 appropriate. The power to stay proceedings "is incidental to the
15 power inherent in every court to control the disposition of the
16 cases on its docket with economy of time and effort for itself,
17 for counsel, and for litigants." Landis v. N. Am. Co., 299 U.S.
18 248, 254 (1936). District courts ordinarily have authority to
19 issue stays where such a stay would be a proper exercise of
20 discretion. See Rhines v. Weber, 544 U.S. 269, 276 (2005).
21 Consideration of such a stay calls for "the exercise of judgment
22 which must weigh competing interests and maintain an even
23 balance." See Landis, 299 U.S. at 254-55. This order to stay is
24 issued without prejudice to defendant moving to dismiss this
25 action following arbitration if any issues remain.


26 IT IS THEREFORE ORDERED that plaintiff-relator's Motion
27 to Stay Proceedings, (Docket No. 38), is hereby GRANTED.

28 The parties shall file a joint status report within 14

1 days after arbitration is completed to inform the court whether
2 any issues remain for this court's resolution. All dates are
3 vacated.

4 IT IS SO ORDERED

5 Dated: June 22, 2021


6 **WILLIAM B. SHUBB**
7 **UNITED STATES DISTRICT JUDGE**

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