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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIATARA ZOUMER,
Plaintiff,
v.
WEWORK COMPANIES INC.,
Defendant.Case No. [16-cv-00340-JSW](#)**ORDER GRANTING MOTION TO
STAY AND REQUIRING JOINT
STATUS REPORTS**

Re: Docket No. 13

Now before the Court is the motion to stay filed by Defendant WeWork Companies Inc. (“WeWork”). The Court has considered the parties’ papers, relevant legal authority, and the record in this case, and it finds the motion suitable for disposition without oral argument. *See* N.D. Civ. L.R. 7-1(b). The Court VACATES the hearing scheduled for March 4, 2016, and it HEREBY GRANTS WeWork’s motion.

BACKGROUND

On December 24, 2015, Plaintiff, Tara Zoumer (“Zoumer”), filed the complaint in this action in the Superior Court of California, County of San Francisco. (Docket No. 1, Notice of Removal, Ex. A.) Zoumer was hired by WeWork in March 2015 and was terminated in November 2015. (Compl. ¶ 3.) Zoumer alleges that WeWork terminated her after she began to speak to other employees about alleged violations of California’s Labor Code and after she refused to sign an arbitration agreement. (*Id.* ¶¶ 7-11.)

Based on these, and other, allegations Zoumer asserted claims against WeWork for wrongful termination, retaliation, and various wage and hour claims. On January 28, 2016, Zoumer filed an amended complaint, in which she added a claim for civil penalties under California Labor Code’s Private Attorney’s General Act. (Docket No. 17.)

1 the Court concludes that in light of the issues raised by the Petition, sound judicial administration
2 warrants a less rigid application of the rule.

3 Zoumer also opposes the motion to stay on the basis that the arbitration agreement should
4 not be enforced. However, those issues are not before this Court. Therefore, the Court turns to
5 whether it should exercise its inherent authority to stay this case. The Court considers a number of
6 factors in deciding whether to grant a stay. *CMAX*, 300 F.2d at 268 (citing *Landis*, 299 U.S. at
7 254-55). First, the Court considers the “possible damage which may result from granting a stay.”
8 *Id.* The second factor the Court considers is the hardship or inequity which a party may suffer in
9 being required to go forward. *Id.* The third factor the Court considers is “the orderly course of
10 justice measured in terms of the simplifying or complicating of issues, proof, and questions of law
11 which could be expected to result from a stay.” *Id.*

12 This case is in its early stages. Indeed, the parties have not yet appeared for the initial case
13 management conference, which is scheduled for April 22, 2016. In addition, the Petition is fully
14 briefed and ripe for resolution. Thus, there is no reason to believe a stay would be lengthy. If,
15 however, circumstances change, Zoumer can move to lift the stay.

16 With respect to hardship or inequity, the fact that WeWork might be “required to defend a
17 suit, without more, does not constitute a clear case of hardship or inequity within the meaning of
18 *Landis.*” *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1112 (9th Cir. 2005) (internal quotations and
19 citation omitted). On balance, the Court finds that this factor is neutral. To the extent both parties
20 could be harmed by continued litigation in this forum, that fact weighs in favor of a stay. Finally,
21 if the Petition is granted, the issues raised by this suit will be subject to arbitration. Therefore, the
22 Court concludes that third factor also weighs in favor of a stay.

23 Accordingly, the Court exercises its inherent authority to stay this litigation pending a
24 ruling on the Petition.

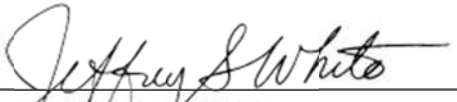
25 **CONCLUSION**

26 For the foregoing reasons, the Court GRANTS WeWork’s motion to stay. The Court
27 VACATES the case management scheduled for April 22, 2016, and all related deadlines. The
28 Court FURTHER ORDERS the parties to submit a joint status reports by no later than April 19,

1 2016, setting forth the status of the Petition, and every sixty (60) days thereafter, until the Petition
2 is resolved. If the Petition is granted, and the matter is ordered to arbitration, the parties shall file
3 joint status reports every 120 days until the arbitration is complete.

4 **IT IS SO ORDERED.**

5 Dated: February 19, 2016

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JEFFREY S. WHITE
United States District Judge

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