

United States District Court  
Northern District of California

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  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

IAN WEBB, individually and on behalf of  
other members of the general public  
similarly situated,

Plaintiff,

v.

REJOICE DELIVERS LLC, a California  
limited liability company; AMAZON  
LOGISTICS, INC., a Delaware Corporation;  
and AMAZON.COM SERVICES, LLC, a  
Delaware limited liability company,

Defendants.

Case No. 22-cv-07221-BLF

**ORDER GRANTING DEFENDANTS'  
MOTION TO STAY DISCOVERY; AND  
VACATING MAY 22, 2025 HEARING**

[Re: ECF 138]

Defendants Amazon Logistics, Inc. and Amazon.com Services, LLC (“Amazon Defendants”), joined by Defendant Rejoice Delivers LLC (“Rejoice”), move to stay discovery pending a ruling on their motion to dismiss and strike the third amended complaint (“TAC”).<sup>1</sup> *See* Defs.’ Mot. to Stay, ECF 138; Joinder, ECF 138. The motion to dismiss and strike is set for hearing on March 20, 2025, so the requested stay would be of short duration.

The motion to stay discovery is fully briefed, and is suitable for decision without oral argument. *See* Civ. L.R. 7-1(b). The hearing on the motion to stay discovery, previously scheduled for May 22, 2025, is VACATED.

The motion to stay discovery is GRANTED.

<sup>1</sup> The TAC is miscaptioned as the “Second Amended Complaint.” *See* TAC, ECF 119.

1       **I.     BACKGROUND**

2             Plaintiff Webb filed this putative class action in the Santa Clara County Superior Court in  
3     August 2022, asserting wage and hour claims against his former employer, Rejoice. *See* Notice of  
4     Removal Ex. A (Compl.), ECF 1-1. Webb filed a first amended complaint in state court in  
5     October 2022, adding the Amazon Defendants as alleged joint employers. *See* Notice of Removal  
6     Ex. B (First Amended Compl.), ECF 1-2. The Amazon Defendants removed the action to federal  
7     district court in November 2022. *See* Notice of Removal, ECF 1.

8             In December 2023, the Court denied Defendants’ motion to compel individual arbitration,  
9     dismiss class claims, and stay the action. *See* Order Denying Mot. to Compel Arb., ECF 84. The  
10    Court approved the parties’ stipulation for a stay of proceedings pending Defendants’ appeal of the  
11    denial of arbitration. *See* Order Granting Joint Stip., ECF 87. Defendants voluntarily dismissed  
12    the appeal, and this Court lifted the stay in May 2024. *See* Order Lifting Stay, ECF 96.

13            Webb filed a second amended complaint (“SAC”) in August 2024, and filed the operative  
14    TAC on November 15, 2024. *See* SAC, ECF 105; TAC, ECF 119. The TAC asserts nine claims  
15    against Defendant Rejoice and the Amazon Defendants: (1) unpaid overtime, Cal. Lab. Code §§  
16    510, 1198; (2) unpaid meal period premiums, Cal. Lab. Code §§ 226.7, 512(a); (3) unpaid rest  
17    period premiums, Cal. Lab. Code § 226.7; (4) unpaid minimum wages, Cal. Lab. Code §§ 1194,  
18    1197; (5) final wages not timely paid, Cal. Lab. Code §§ 201, 202; (7) unreimbursed business  
19    expenses, Cal. Lab. Code §§ 2800, 2802; (8) collection of due and unpaid wages, Cal. Lab. Code §  
20    229; and (9) violation of California’s Unfair Competition Law, Cal. Bus. & Prof. Code § 17200.

21            The Amazon Defendants, joined by Defendant Rejoice, have filed a motion to dismiss and  
22    strike the TAC, which is set for hearing on March 20, 2025. *See* Defs.’ Mot. to Dismiss, ECF 124;  
23    The Amazon Defendants, joined by Defendant Rejoice, now move to stay the case pending  
24    disposition of the motion to dismiss and strike. *See* Defs.’ Mot. to Stay, ECF 138; Def.’s Joinder,  
25    ECF 139.

26        **II.    LEGAL STANDARD**

27            While the Federal Rules of Civil Procedure do not provide for an automatic stay of  
28    discovery during the pendency of a potentially dispositive motion, district courts have discretion

1 to issue protective orders relating to discovery, including orders staying discovery, for “good  
2 cause.” Fed. R. Civ. P. 26(c); *see also Tavantzis v. Am. Airlines, Inc.*, No. 23-CV-05607-BLF,  
3 2024 WL 812012, at \*1 (N.D. Cal. Feb. 23, 2024). “Courts in this district have applied a two-  
4 pronged test to determine whether discovery should be stayed pending resolution of a dispositive  
5 motion.” *Id.* (collecting cases). The district court must determine: (1) whether a pending motion  
6 is potentially dispositive of the case, or at least the issue as to which a stay of discovery is  
7 requested; and (2) whether the pending motion can be decided without additional discovery. *See*  
8 *id.* If the district court answers both questions in the affirmative, it may stay discovery. *See id.* If  
9 either prong is not established, discovery will proceed. *See id.*

10 In applying this two-pronged test, the district court must take a “preliminary peek” at the  
11 merits of the pending motion to assess whether a stay is warranted. *See Tavantzis*, 2024 WL  
12 812012, at \*1. District courts in this circuit sometimes also consider whether a stay of discovery  
13 will promote efficiency or conserve the parties’ resources. *See id.* “[E]ngaging in discovery prior  
14 to adjudication of a strong motion to dismiss would represent a potential waste of resources.” *Id.*  
15 (internal quotation marks and citation omitted).

16 “Under the liberal discovery principles of the Federal Rules,” the party seeking a discovery  
17 stay is “required to carry a heavy burden of showing why discovery [should be] denied.”  
18 *Blankenship v. Hearst Corp.*, 519 F.2d 418, 429 (9th Cir. 1975); *see also Tavantzis*, 2024 WL  
19 812012, at \*1.

20 **III. DISCUSSION**

21 The Amazon Defendants ask the Court to stay discovery pending disposition of their  
22 motion to dismiss and strike the TAC, asserting that despite having failed to allege *any* facts  
23 showing that the Amazon Defendants are joint employers of Webb or class members, Webb has  
24 sought extensive discovery from the Amazon Defendants regarding a proposed class period going  
25 back seven years. Defendant Rejoice joins in the motion to stay on the ground that the pending  
26 motion to dismiss and strike will determine whether Plaintiff Webb may proceed on individual  
27 and/or class claims. Plaintiff Webb asserts that a discovery stay would be prejudicial, because he  
28 needs discovery to file a motion for class certification.

1           On the first prong of the applicable test, the Court finds that the pending motion is  
2 potentially dispositive of the case as a whole, or at least the class claims. The Amazon Defendants  
3 argue that the TAC does not allege *any facts* supporting Plaintiff Webb’s theory that they were  
4 joint employers, and after taking a “preliminary peek” at the motion the Court concludes that the  
5 Amazon Defendants may prevail on that argument.

6           On the second prong of the test, the Court finds that the pending motion may be decided  
7 without additional discovery. The motion attacks Plaintiff Webb’s claims and class allegations on  
8 their face under the standards set forth under Federal Rules of Civil Procedure 12(b)(6) and 12(f).  
9 No discovery is necessary for the Court to evaluate the motion.

10           Because the requested stay would be of short duration – the motion to dismiss and strike  
11 the TAC is set for hearing in two weeks – the stay would aid judicial efficiency and conserve the  
12 parties’ resources. If Plaintiff Webb’s claims and/or class allegations may be dismissed with  
13 prejudice, there would be no point in requiring Defendants to respond to discovery.

14           With respect to Webb’s argument that a discovery stay would prejudice him because of the  
15 impending deadline to file a motion for class certification, that deadline is January 16, 2026,  
16 approximately ten months after the hearing on the pending motion to dismiss or strike. *See* Order  
17 Approving Stipulation, ECF 137. In the event the Court denies the pending motion in whole or in  
18 part, or grants it with leave to amend, Plaintiff Webb will have ample time to conduct discovery  
19 before filing a motion for class certification.

20           The Court finds that the Amazon Defendants have carried their heavy burden to show good  
21 cause for the requested discovery stay.

22       **IV. ORDER**

23           (1)     The motion for a stay of discovery pending disposition of the pending motion to  
24                   dismiss and strike the TAC is GRANTED, and the hearing previously scheduled  
25                   for May 22, 2025, is VACATED; and

26           (2)     This order terminates ECF 138.

27     Dated: March 6, 2025

  
\_\_\_\_\_  
BETH LABSON FREEMAN  
United States District Judge

28