

1 in advance when they are entitled to commence judicial proceedings demonstrates this.
2 Furthermore, Plaintiffs' request places an unnecessary burden on the Court. Thus, under the
3 district court's inherent power to control its docket, the Court **DENIES** Plaintiffs' *ex parte*
4 motion. *See Atchison*, 146 F.3d at 1074.

5 Alternatively, this Court's Standing Order for Civil Cases states that


6 Before filing an *ex parte* application, the parties must meet and confer
7 in an attempt to resolve the issue. If the parties are unable to resolve it,
8 the applicant shall attach a declaration documenting the meet and
9 confer efforts and explain the reason for failure to reach a resolution,
10 or explain why a meeting and conference is not appropriate in the
11 context of the request.

12 Plaintiffs fail to provide a declaration documenting any meet-and-confer efforts, an explanation
13 of the reason for the failure to reach a resolution, or an explanation of why a meeting and
14 conference is not appropriate in this context. (*See Tremblay Decl.* ¶¶ 1–5.) Thus, this *ex parte*
15 motion is not in compliance with this Court's Standing Order for Civil Cases regarding *Ex Parte*
16 Applications.

17 In light of the foregoing, the Court **DENIES** Plaintiffs' *ex parte* motion to lift the stay
18 imposed on this case. (Doc. 14.) Plaintiffs may re-file this request once they are ready to
19 request that the stay be lifted immediately at the time they re-file, presumably on or after January
20 4, 2013. Furthermore, if Plaintiffs choose to file another *ex parte* request, they must also comply
21 with this Court's Standing Order for Civil Cases.

22 **IT IS SO ORDERED.**

23 DATED: December 7, 2012

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M. James Lorenz
United States District Court Judge