

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
SOUTHERN DISTRICT OF CALIFORNIA**

E.DIGITAL CORPORATION, vs. Shinano Kenshi Co., Ltd.; Shinano Kenshi Corporation, d/b/a Plextor; Plextor LLC; and Plextor Americas, Defendants.	Plaintiff,
---	------------

CASE NO. 14-cv-227-H-BGS
**ORDER CONTINUING ALL
DEADLINES IN LIEU OF A
STAY**

[Doc. No. 13]

On January 31, 2014, Plaintiff e.Digital Corporation filed its complaint against Defendants LiteShinano Kenshi Co., Ltd., Shinano Kenshi Corporation, d/b/a Plextor, Plextor LLC, and Plextor Americas. (Doc. No. 1.) On March 20, 2014, Plaintiff filed a notice of settlement and unopposed, ex parte motion to stay all deadlines pending settlement. (Doc. No. 13.) The parties request a stay until April 28, 2014 to execute a settlement agreement and file a notice of voluntary dismissal. (See id. at 2.)

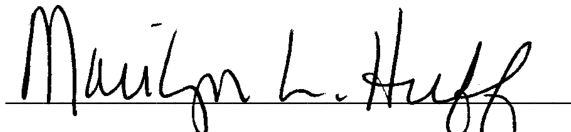
“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.” Clinton v. Jones, 520 U.S. 681, 706 (1997). Furthermore, “the suppliant for a stay must make out a clear case of hardship or inequity in being required to go forward. . . .” Landis v. North Am. Co., 299 U.S. 248, 255 (1936); see also Lockyer v. Mirant Corp., 398 F.3d 1098, 1112 (9th Cir. 2005)

1 (quoting Landis and holding that “being required to defend a suit, without more, does
2 not constitute a ‘clear case of hardship or inequity’ within the meaning of Landis”).

3 In lieu of a formal stay, the Court orders a limited continuance of deadlines in
4 this action for the parties to effect settlement. An extension of the case deadlines for
5 thirty-five days ensures that the proceedings will be delayed no longer than necessary.
6 Exercising its discretion, the Court denies the parties’ motion to stay the proceedings
7 and continues all deadlines until **April 28, 2014**.

8 **IT IS SO ORDERED.**

9 DATED: March 24, 2014

10 
11 MARILYN L. HUFF, District Judge
12 UNITED STATES DISTRICT COURT
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28