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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

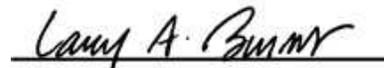
JONATHAN DENICOLA, et al.,
Plaintiffs,
vs.
SOLARCITY FINANCE COMPANY, LLC,
et al.,
Defendants.

CASE NO. 17cv820-LAB
ORDER STAYING ACTION

Plaintiffs entered arbitration agreements with Solarcity that forbid them from bringing claims as a class or collective action. The Ninth Circuit, however, held those types of agreements violate the NLRA's protection of concerted activity. *Morris v. Ernst & Young, LLP*, 834 F.3d 975, 979 (9th Cir. 2016). Since the Supreme Court heard oral argument in *Morris* last week, the Court exercises its broad discretion to stay this case. *Leyva v. Certified Grocers*, 593 F.2d 857, 863 (9th Cir. 1979). But there's no sense in delaying discovery that will help resolve this action regardless of the outcome in *Morris*. Accordingly, the Court denies the motion to compel arbitration [Dkt. 16] and stays this case, but will allow discovery that relates to the three named plaintiffs. After *Morris* is decided, the Court will lift the stay, issue an appropriate order, and decide the motion for corrective action [Dkt. 20] if necessary.

IT IS SO ORDERED.

DATED: October 16, 2017



HONORABLE LARRY ALAN Burns
United States District Judge