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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

EXCEL CONCRETE CONSTRUCTION,
INC.,

Plaintiff,

v.

UNITED RENTALS (NORTH
AMERICA), INC., and UNITED
RENTALS, INC.,

Defendants.

Case No.: 17-CV-1506 JLS (BLM)

**ORDER GRANTING JOINT
MOTION TO STAY**

(ECF No. 14)

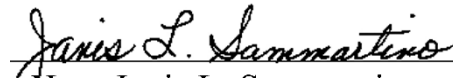
Presently before the Court is Plaintiff Excel Concrete Construction, Inc. and Defendants United Rentals (North America), Inc. and United Rentals, Inc.’s (collectively “Parties”) Joint Motion to Stay Pending Mediation. (ECF No. 14.) The Parties represent that they have voluntarily agreed to mediate this litigation and the first available date for the Parties and their mediator is January 12, 2018. (*Id.* at 2.) The Parties request a ninety (90) day stay of the entire matter and propose to jointly report to the Court the results of the mediation. (*Id.*)

“District courts have inherent authority to stay proceedings before them.” *Rohan ex rel. Gates v. Woodford*, 334 F.3d 803, 817 (9th Cir. 2003), *abrogated on other grounds by Ryan v. Gonzales*, 568 U.S. 57 (2013). “[T]he power to stay proceedings is incidental to

1 the power inherent in every court to control the disposition of the causes on its docket with
2 economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*,
3 299 U.S. 248, 254 (1936). In light of the foregoing, the Court finds that granting the
4 requested stay would best promote the interests of securing a just, speedy, and inexpensive
5 determination of the action. *See* Fed. R. Civ. P. 1. Accordingly, the Court **GRANTS** the
6 Parties’ Joint Motion. This action is hereby **STAYED** for ninety (90) days from when this
7 Order is electronically docketed. Accordingly, the Court **VACATES** all deadlines,
8 including the hearing scheduled for November 2, 2017 on Defendants’ Motion to Dismiss,
9 (ECF No. 10), until further order of the Court. The Parties **SHALL FILE** a joint status
10 report on or before seven (7) days of the conclusion of this 90-day stay.

11 **IT IS SO ORDERED.**

12 Dated: October 18, 2017


13 Hon. Janis L. Sammartino
14 United States District Judge
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