

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02103-PAB-KLM

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

and

IRAQ ABADE, et al.,

Plaintiffs-Intervenors,

v.

JBS USA, LLC, d/b/a JBS Swift & Company,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff EEOC's Unopposed Motion For Stay and Request for Expedited Ruling** [Docket No. 275; Filed September 30, 2013] (the "Motion"). In the Motion, Plaintiff requests an order staying the case "for the duration of any government shutdown due to lapse in agency appropriations" and for an extension of "all deadlines which occur during the government shutdown for the same time period as the shutdown." *Motion* [#275] at 2.

The Court has the discretion to stay proceedings, because the power to stay is "incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). "How this can best be done calls for the exercise of judgment, which must weigh competing interests and maintain an even balance." *Id.* at 254-55. The Federal Rules of Civil Procedure do not expressly provide for a stay of proceedings; however, Rule 26(c) does permit the court, upon a showing of good cause, to "protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense." Fed. R. Civ. P. 26(c). Here, the Court finds that the government shutdown resulting in a lapse of funding for government agencies, including Plaintiff, establishes good cause for a stay of this case for the duration of the government shutdown

and an extension of any deadlines which occur during the shutdown. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#275] is **GRANTED**.

IT IS FURTHER **ORDERED** that the case is **STAYED** pending Congress' approval of agency appropriations.

IT IS FURTHER **ORDERED** that all deadlines in this case that occur during the government shutdown are extended to after the shutdown, each for the same number of days as the duration of the government shutdown.

Dated: October 1, 2013