

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

EDUARDO GOMEZ, ET AL.,

Plaintiff,

v.

Case No. 8:15-cv-1494-T-33TBM

LAW OFFICES OF DANIEL C.  
CONSUEGRA, P.L., ET AL.,

Defendants.

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**ORDER**

This matter comes before the Court pursuant to Defendant Law Offices of Daniel C. Consuegra, P.L.'s Motion to Stay filed on August 28, 2015. (Doc. # 24). Plaintiffs Eduardo Gomez and Martha Tello filed a response in opposition on September 9, 2015. (Doc. # 30). For the reasons that follow, the Motion to Stay is granted.

**Analysis**

This 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); see also Chudasama v. Mazda Motor Corp., 123 F.3d 1353, 1366-67 (11th Cir. 1997) (citation omitted) (stating district courts "enjoy broad

discretion in deciding how to best manage the cases before them”).

After reviewing the Motion to Stay and the response thereto, the Court determines that this action should be stayed. As Gomez and Tello concede in their response, they fit the class definitions in Case Nos. 8:15-cv-571-JSM-AEP and 9:15-cv-80261-WPD. (Doc. # 30 at 3) (stating “Plaintiffs fit the Lopez class definition” and “Plaintiffs fit the Cruz class definition”). Furthermore, Consuegra seeks a stay of this action only “until such time as a class is certified and Plaintiffs opt out, or until such time as the class certification is denied.” (Doc. # 24 at 3).

In light of the overlapping nature of these actions, staying the instant action until such time as a class is certified and Gomez and Tello opt out, or until such time as class certification is denied, will promote judicial efficiency and avoid the risk of inconsistent rulings. In addition, such a stay is not of immoderate or indefinite duration.

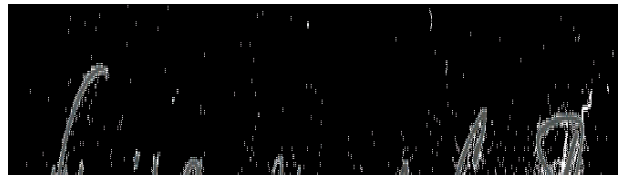
Accordingly, it is now

**ORDERED, ADJUDGED, and DECREED:**

- (1) Defendant Law Offices of Daniel C. Consuegra, P.L.’s Motion to Stay (Doc. # 24) is **GRANTED**.

- (2) This case is stayed until such time as a class is certified and Plaintiffs Gomez and Tello opt out, or until such time as class certification is denied.
- (3) The Clerk is directed to administratively close this case.
- (4) The parties are directed to file a status report regarding the class action proceedings on or before December 1, 2015, and every 90 days thereafter.
- (5) The mediation conference scheduled for October 16, 2015, is cancelled.

**DONE** and **ORDERED** in chambers in Tampa, Florida, this 18th day of September 2015.



Copies to: All Counsel of Record