

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DEEPAK KUMAR KAPUR, ET AL.,

Plaintiffs,

v.

Case No. 8:18-cv-1330-T-33TGW

KNAUF INSULATION GMBH, ET AL.,

Defendants.

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ORDER

This matter is before the Court pursuant to the Unopposed Motion for Stay of Proceedings and Suspension of Deadlines Pending Transfer by the Judicial Panel on Multidistrict Litigation by Specially Appearing Defendant Knauf Insulation, Inc. (Doc. # 7), which was filed on June 7, 2018. Defendant seeks an order staying this case until such time as the Judicial Panel on Multidistrict Litigation has determined whether this case will be transferred to the consolidated multidistrict litigation in the Eastern District of Louisiana, *In re Chinese-Manufactured Drywall Products Liability Litigation* (MDL No. 2047).

"The power to stay proceedings 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). This Court agrees that the

requested stay is appropriate, and in the interest of judicial economy, this Court stays and administratively closes this matter, including all case deadlines and hearings, pending the decision of the Judicial Panel on Multidistrict Litigation. A stay pending a consolidation and transfer decision by the JPML serves the primary purposes of the multidistrict litigation device, which is to "eliminate duplicative discovery; prevent inconsistent pretrial rulings . . . and conserve the resources of the parties, their counsel, and the judiciary." In re Cal. Retail Nat. Gas & Elec. Antitrust Litig., 150 F. Supp. 2d 1383, 1384 (J.P.M.L. 2001). In so staying and administratively closing this case, this Court is mindful of its broad discretion over the manner in which it manages the cases before it, Chrysler Int'l Corp. v. Chemaly, 280 F.3d 1358, 1360 (11th Cir. 2002), and finds that the requested stay is reasonable under the circumstances presented.


Accordingly, it is hereby

ORDERED, ADJUDGED, and DECREED:

- (1) The Unopposed Motion for Stay of Proceedings and Suspension of Deadlines Pending Transfer by the Judicial Panel on Multidistrict Litigation by Specially Appearing Defendant Knauf Insulation, Inc. (Doc. # 7) is **GRANTED**.

- (2) The Clerk is directed to **STAY AND ADMINISTRATIVELY CLOSE** this case until such time as the Panel has dispositively ruled as to whether this case will be transferred to the consolidated multidistrict litigation.
- (3) The Case Management Hearing scheduled for June 26, 2018, is cancelled. The parties are not required to file a Case Management Report.
- (4) The parties shall immediately inform the Court when the Panel has made its final ruling.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 7th day of June, 2018.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE