

United States District Court
for the
Southern District of Florida

High Tech National, LLC and)	
Automotive Key Controls, LLC,)	
Plaintiffs,)	
)	
v.)	Civil Action No. 20-22857-Civ-Scola
)	
Jay Wiener and others,)	
Defendants.)	

Order Denying Motion To Stay

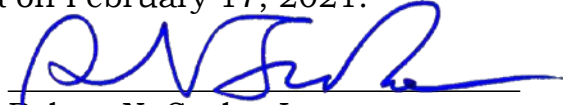
This matter is before the Court upon the Defendant Sonia Wiener’s motion to stay the unjust enrichment claim set forth in Count XLV of the Plaintiffs’ second amended complaint. For the reasons stated below, the Court **denies** the Defendant’s motion. (**ECF No. 196.**)

District Courts have broad discretion to stay proceedings in the exercise of their good judgment. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). Here, the Defendant Sonia Wiener argues the Court should enter a stay because she is mentioned in only one count of the Plaintiffs’ complaint and because her liability for unjust enrichment hinges on whether or not the Plaintiffs are able to prove their case with respect to certain of the other Defendants. (ECF No. 196, at 2.) Ms. Wiener states that requiring her to produce discovery before the Plaintiffs have proven liability with respect to certain of the other Defendants would be unjust and warrants a stay. The Court does not agree.

The Court has already determined that the Plaintiffs have stated a potential claim against Ms. Wiener when the Court denied Ms. Wiener’s motion to dismiss. (ECF No. 167.) Any discovery sought with respect to Ms. Wiener must be undertaken in a manner consistent with Federal Rule 26(b) which requires that discovery be “proportional to the needs of the case.” Fed. R. Civ. P. 26(b)(1). Should Ms. Wiener find that the Plaintiffs’ discovery requests are abusive in some way, i.e. that they are not proportional to the needs of the case with respect to the Plaintiffs’ claim against Ms. Wiener, the appropriate course would be for her to seek a protective order, not to preemptively attempt to stay these proceedings, necessitating piecemeal and inefficient litigation.

The Court therefore **denies** Ms. Wiener’s motion to stay. (**ECF No. 196.**) The Court also **denies** Ms. Wiener’s request for a hearing on this matter.

Done and ordered at Miami, Florida on February 17, 2021.

A handwritten signature in blue ink, appearing to read 'R. N. Scola, Jr.', written over a horizontal line.

Robert N. Scola, Jr.
United States District Judge