

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Phillip S. Figa

Civil Action No. 06-cv-00253-PSF-MJW

ARTEMIO ORNELAS, on behalf of himself and all others similarly situated,

Plaintiff,

v.

SONIC-DENVER T, INC.;
SONIC AUTOMOTIVE, INC.; and
TOYOTA MOTOR CREDIT CORPORATION,

Defendants.

ORDER ON DEFENDANTS' MOTION TO STAY DISCOVERY

This matter comes before the Court on Defendants' Motion to Stay Discovery Pending a Ruling on Motion to Compel Arbitration (Dkt. # 16), filed April 24, 2006. The Court has performed a cursory review of the Defendants' Motion to Compel Arbitration (Dkt. # 15), also filed on April 24, 2006. Without prejudging the motion and prior to receiving plaintiff's response, the motion appears to have been filed in good faith and presents a substantial issue as to whether arbitration should be compelled in connection with this dispute.

In addition, the Court notes that plaintiff has served extensive discovery requests on defendants (Exhibit 2 to Motion to Stay Discovery) that may be rendered moot, or subject to substantial revision, in the event arbitration were compelled. In addition, pursuing discovery at this juncture, and in particular litigating over the scope of discovery, is not the most efficient use of the parties' resources. *See e.g. Merrill Lynch,*

Pierce, Fenner & Smith, Inc. v. Coors, 357 F. Supp. 2d 1277, 1280 (D. Colo. 2004).

Accordingly, the Court GRANTS the Defendants' Motion to Stay Discovery (Dkt. # 16) pending ruling on the Motion to Compel Arbitration, and all discovery in this case is hereby stayed pending further order of this Court. The Court will endeavor to rule promptly after the Motion to Compel Arbitration is fully briefed.

DATED: April 27, 2006

BY THE COURT:

s: Phillip S. Figa

Phillip S. Figa
United States District Judge