

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA for
the use and benefit of GLF
CONSTRUCTION CORPORATION

CIVIL ACTION

VERSUS

NO. 16-13022

FEDCON JOINT VENTURE, ET AL.

SECTION "R" (4)

ORDER AND REASONS

Before the Court is the parties' joint motion to lift the stay in part and transfer.¹ The Court granted defendants' motion to stay pending the completion of contractual dispute resolution procedures.² The stay applies to all claims in this action.³ The parties now propose to lift the stay as to certain claims and transfer those claims to the Middle District of Florida. The parties cite no authority permitting the Court to slice up a case in this fashion. To the contrary, the venue statute permits transfer of a "*civil action* to any district . . . to which all parties have consented."⁴ 28 U.S.C. § 1404(a)

¹ R. Doc. 35.

² R. Doc. 25.

³ See R. Doc. 34 at 5-9 (rejecting plaintiff's argument that the stay should not apply to the entire action).

⁴ The Court does not decide the propriety of transferring this entire action "[f]or the convenience of parties and witnesses [and] in the interest of justice." 28 U.S.C. § 1404(a).

(emphasis added); *see also Chrysler Credit Corp. v. Country Chrysler, Inc.*, 928 F.2d 1509, 1518 (10th Cir. 1991) (“Section 1404(a) only authorizes the transfer of an entire action, not individual claims.”).

The Court DENIES the parties’ motion. This matter remains administratively closed pending the stay.

New Orleans, Louisiana, this 8th day of September, 2017.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE