

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

PAT'S GARAGE DOORS & REPAIRS,
LLC, ET AL.

CIVIL ACTION

VERSUS

NO: 11-380

DISTRIBUTION BY DATAGEN,
INC., ET AL.

SECTION: R(4)

ORDER AND REASONS

Defendants move to stay Federal Rule of Civil Procedure 26(a)(1) initial disclosures and discovery pending resolution of their motion to dismiss.¹ A trial court is vested with broad discretion regarding discovery. *Seiferth v. Helicopteros Atuneros, Inc.*, 472 F.3d 266, 270 (5th Cir. 2006). The court "may properly exercise its discretion to stay discovery pending a decision on a dispositive motion." *Corwin v. Marney Orton Invs.*, 843 F.2d 194, 200 (5th Cir. 1988)(citing *Scroggins v. Air Cargo*,

¹ R. Doc. 16.

Inc., 534 F.2d 1124, 1133 (5th Cir. 1976)). The Court finds that the defendants do not provide adequate grounds to delay discovery or Rule 26(a)(1) initial disclosures on the basis of a pending motion. Defendants have not pointed to discovery that has been propounded. Further, defendants do not show that discovery cannot be managed in a reasonable way pending resolution of their motion to dismiss.

For the foregoing reasons, the Court DENIES defendants' motion.

New Orleans, Louisiana, this 14th day of October, 2011.

A handwritten signature in black ink, reading "Sarah S. Vance", is written over a horizontal line.

SARAH S. VANCE

UNITED STATES DISTRICT JUDGE