

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THAL FLAM WENDROW, *et al.*,

Plaintiffs,

Case No. 08-14324

v.

Hon. John Corbett O'Meara

MICHIGAN DEPARTMENT OF
HUMAN SERVICES, *et al.*,

Defendants.

ORDER GRANTING MOTIONS FOR STAY

Before the court are two motions to stay proceedings pending appeal, filed by the Michigan Department of Human Services defendants and the Walled Lake Consolidated School District defendants. These defendants are appealing the court's orders of March 30, 2011, and March 27, 2012, in which the court denied qualified immunity on certain claims.

Having considered the motions and Plaintiffs' response, the court is persuaded that it is in the interest of justice, judicial economy, and efficiency to stay the entire matter pending appeal. See, e.g., Landis v. North American Co., 299 U.S. 248, 254 (1936) (“[T]he 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.”). Otherwise, the court and the parties will be in the position of trying a complex and potentially lengthy case twice. The court understands Plaintiffs' concern regarding delay; on balance, however, the court finds multiple, expensive and time-consuming trials to be the greater harm for

all involved.

Therefore, IT IS HEREBY ORDERED that Defendants' motions to stay proceedings pending appeal [docket nos. 322 and 323] are GRANTED.

IT IS FURTHER ORDERED that Defendants Oakland County and David Gorcyca's motion to adjourn trial [docket no. 330] is DENIED AS MOOT.

s/John Corbett O'Meara
United States District Judge

Date: July 9, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, July 9, 2012, using the ECF system.

s/William Barkholz
Case Manager