

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

SANDRA SMITH

PLAINTIFF

VS.

CIVIL ACTION NO. 5:16-cv-103(DCB)(MTP)

WAL-MART STORES EAST, LP; and
JOHN and JANE DOES 1-10

DEFENDANTS

ORDER

This cause is before the Court on the plaintiff Sandra Smith's Motion to Stay Ruling on Motion for Summary Judgment Until Continuance of 30(b)(6) Deposition (**docket entry 39**). Having carefully considered the motion and the defendants' response, and being fully advised in the premises, the Court finds as follows:

The plaintiff requests that the Court stay its ruling on the defendant ("Wal-Mart")'s Motion for Summary Judgment until after the resumption and conclusion of plaintiff's 30(b)(6) deposition of Wal-Mart's corporate designee, Jerry Hand. The parties have agreed on November 27, 2017, as the date for reconvening the deposition.

The defendant responds that it has no objection to resuming the 30(b)(6) deposition, but does object to the plaintiff being allowed to supplement her briefing on the Motion for Summary Judgment. The Court notes that supplemental briefing is not sought in the plaintiff's motion to stay proceedings.

The Court has the inherent power to order supplemental briefing if needed. See, e.g., Burgess v. Cigna Life Ins. Co. of N.Y., 2006 WL 1851391, *6 (W.D. Tex. June 23, 2006); Queens Univ.

at Kingston v. Samsung Elec. Co. Ltd., 2015 WL 10936048, *1 (E.D. Tex. Aug. 28, 2015). However, there is no motion for supplemental briefing before the Court, and a sua sponte ruling on supplemental briefing would be premature.

Accordingly,

IT IS HEREBY ORDERED that the plaintiff Sandra Smith's Motion to Stay Ruling on Motion for Summary Judgment Until Continuance of 30(b)(6) Deposition (**docket entry 39**) is GRANTED, and the 30(b)(6) deposition of Wal-Mart's corporate designee, Jerry Hand, shall resume on November 27, 2017.

SO ORDERED, this the 14th day of November, 2017.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE