

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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)	
SCHNUCK MARKETS, INC.,)	
)	
Plaintiff,)	No. 4:13-CV-2226-JAR
)	
v.)	
)	
FIRST DATA MERCHANT DATA)	
SERVICES CORP., and CITICORP)	
PAYMENT SERVICES, INC.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

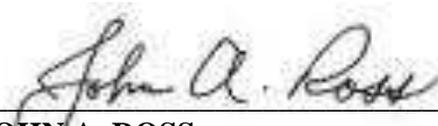
This matter is before the Court on Plaintiff’s Motion to Stay Discovery. (Doc. No. 59) The motion is fully briefed and ready for disposition. Plaintiff seeks a stay of discovery pending resolution of the parties’ cross-motions for judgment on the pleadings. (Doc. Nos. 37, 43) In support of its motion, Plaintiff states that both sides agree the contract language at issue is not ambiguous and can be interpreted in accordance with its plain meaning. Further, an order granting either motion will be dispositive of the case. Thus, a stay of discovery will promote judicial economy. Defendants oppose a stay and seek to proceed with the discovery already served on Plaintiff regarding the negotiation and interpretation of the contract and Plaintiff’s response to the data compromise event.

Upon consideration, the Court will grant a stay of discovery for sixty days to allow for time to consider and rule on the pending cross-motions for judgment on the pleadings. This will not result in any prejudice to Defendants. The case was filed less than a year ago, there have been no prior extensions of the discovery deadlines, and there are no unusual circumstances that

would suggest a need to proceed with discovery at this point. If the Court denies both motions, then the Court will give Defendants an opportunity to complete any necessary discovery.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Stay Discovery [59] is **GRANTED** in part. Discovery in this matter is **STAYED** for a period of sixty (60) days, up to and including **November 14, 2014**.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

Dated this 16th day of September, 2014.