

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

REBECCA COURTRIGHT and)	
RAPHEAEL SAYE,)	
Individually and on Behalf of All Others,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 14-00334-CV-W-DGK
)	Consolidated with: 15-00134-CV-W-DGK
O'REILLY AUTOMOTIVE STORES,)	
INC., et al.,)	
)	
Defendants.)	

**ORDER CONCERNING STATUS OF SETTLEMENT, DENYING REQUEST TO
VACATE OR STAY ANY DEADLINES**

On September 19, 2016, the parties sent the Court's courtroom deputy an email stating that they had reached "an agreement to resolve the case through settlement." The parties also requested that the Court "adjourn all pending deadlines in light of the parties' agreement, so that counsel can work together to bring the matter to a close." The parties never filed a formal motion to stay discovery, nor did they file anything indicating that they had actually reached a firm settlement. Consequently, on October 21, 2016, the Court ordered the parties to file either the appropriate settlement documents or a joint report explaining the status of the case by October 28, 2016.

On October 28, 2016, the parties filed a Notice of Settlement (Doc. 109) and a Joint Report on Case Status (Doc. 110) in which they reported that they had reached a nationwide settlement the day before, on October 27. The parties also requested that the Court vacate or continue all currently scheduled deadlines¹ and give them until December 7, 2016, to file their motion for settlement approval.

¹ The parties also reported that the status of document production in this case was the same "as it was at the time of Defendants' last status report," which was July 12, 2016. *See* Defendants' Ninth Progress Report on Supplemental

Given that this case is almost three years-old, little substantive work has occurred, and the case has already been stayed several times, the Court DENIES the parties' request to stay discovery and/or vacate or continue any deadlines.

Of course, the Court will endeavor to rule on the proposed settlement as soon as practical once it is filed, but the parties shall continue actively litigating the case until the Court orders otherwise.

IT IS SO ORDERED.

Date: November 8, 2016

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Discovery (Doc. 100). Defendants also explained that they "ceased expending on continuing discovery once agreement on settlement was reached [which appears to have been October 27, 2016], and Defendants have since directed their efforts toward memorializing the settlement in coordination with Plaintiffs' counsel." Thus, it appears Defendants have not produced any documents since mid-July, meaning there has been no progress on discovery for three months in a case that is already thirty months-old.