Blue Moon Marketing, LLC v. Matthews et al Doc. 97

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BLUE MOON MARKETING, LLC, Plaintiff, vs. SCOTT R. MATTHEWS, *et al.*, Defendants.	)	Case No. 2:13-cv-02238-JAD-GWF **ORDER** Motion for Limited Relief from Stay (#89)

This matter comes before the Court on Defendants Philip Brewer, Summer Bay Resorts Crown Club, LLC, and Summer Bay Sales and Marketing, L.C.'s Motion for Limited Relief from Stay (#89), filed on August 19, 2014. No opposition was filed in this matter.

On May 5, 2014, the undersigned entered an order granting Defendants' motion to stay proceedings pending a ruling on their motion for summary judgment. *See Dkt. #75*. Defendants move this Court for limited relief from the stay for the purpose of filing a motion to transfer venue to the Middle District of Florida and to file a motion for judgment on the pleadings pursuant to Rule 12(c). *See Dkt. #89*.

Issuing a stay of a civil proceeding is within the sound discretion of the court. *See Dependable Highway Exp., Inc. v. Navigators Ins. Co.,* 498 F.3d 1059, 1066 (9th Cir. 2007). Accordingly, it is in the Court's discretion to grant relief from a stay. Furthermore, pursuant to LR 7-2, the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion. Here, the Court finds the Defendants have shown good cause and no opposition was filed in this matter. Accordingly,

IT IS HEREBY ORDERED that Defendants Philip Brewer, Summer Bay Resorts Crown Club, LLC, and Summer Bay Sales and Marketing, L.C.'s Motion for Limited Relief from Stay (#89) is **granted**.

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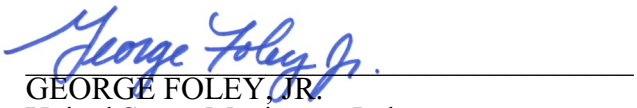
IT IS FURTHER ORDERED that the hearing set for Wednesday, September 24, 2014 at 2:00 PM be **vacated.**

DATED this 22nd day of September, 2014.



GEORGE FOLEY, JR.
United States Magistrate Judge