

1 stay of discovery. *See Twin City Fire Insurance v. Employers of Wausau*, 124 F.R.D. 652, 653 (D.
2 Nev. 1989). *See also Turner Broadcasting System, Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556
3 (D. Nev. 1997). The moving party carries the heavy burden of making a strong showing of why
4 discovery should be denied. *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev.
5 2013).

6 Courts have broad discretionary power to control discovery. *See Little v. City of Seattle*,
7 863 F.2d 681, 685 (9th Cir.1988). When deciding whether to grant a stay of discovery, the Court is
8 guided by the objectives of Fed. R. Civ. Pro. 1 that ensures a “just, speedy, and inexpensive
9 determination of every action.” *Kor Media Group*, 294 F.R.D. at 581. The Court may grant a
10 motion to stay discovery when “(1) the pending motion is potentially dispositive; (2) the potentially
11 dispositive motion can be decided without additional discovery; and (3) the Court has taken a
12 “preliminary peek” at the merits of the potentially dispositive motion and is convinced that the
13 plaintiff will be unable to state a claim for relief.” *Kor Media Group*, 294 F.R.D. at 581.

14 After conducting its “preliminary peek” of Defendant’s Motion to Dismiss, the Court finds
15 that a stay of discovery is warranted. First, the pending motion to dismiss, if granted, may resolve
16 the primary issues raised in Plaintiff’s Complaint. Second, the Court finds that Defendants’ Motion
17 to Dismiss can be decided without additional discovery. Finally, the Court is convinced that a stay
18 of discovery is warranted based upon the merits of Defendant’s Motion to Dismiss.

19 In addition, Local Rule 7-2(d) provides that “The failure of an opposing party to file points
20 and authorities in response to any motion shall constitute a consent to the granting of the motion.”
21 Plaintiff did not file points and authorities in response to Defendant’s instant motion to stay.
22 Therefore, Plaintiff is considered to have consented to the granting of Defendant’s motion under
23 LR 7-2(d). Accordingly,

24 **IT IS HEREBY ORDERED** that Defendant’s Motion to Stay (ECF No. 18) is **granted**.

25 ...

26 ...

27 ...

28 ...

