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vs.

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

SALMA AGHA-KHAN, Plaintiff,

PACIFIC COMMUNITY MORTGAGE INC et al,

Defendants.

Case No. 2:16-cv-01124-JCM-NJK ORDER (Docket No. 30)

Pending before the Court is a motion to stay discovery filed by Defendants Aurora Loan 16 17 Services, Mortgage Elecronic Registration Systems, Inc., and Theodore Schultz. Docket No. 30. 18 Joinders were filed by Defendants Fidelity National Title, Service-Irvine, and Servicelink, Docket No. 19 31; Defendants Steven Joe, Juliann McNeill, and Michael McNeill, Docket No. 32; Defendant Noble 20 Title, Docket No. 40; and Defendant William Go, Docket No. 43. Plaintiff filed a response in 21 opposition. Docket No. 59. The Court finds the matter properly resolved without oral argument. See 22 Local Rule 78-1. For the reasons discussed below, the motion to stay is hereby **GRANTED**.

23 The Court has broad discretionary power to control discovery. See, e.g., Little v. City of Seattle, 863 F.2d 681, 685 (9th Cir. 1988). "The Federal Rules of Civil Procedure do not provide for automatic 24 25 or blanket stays of discovery when a potentially dispositive motion is pending." Tradebay, LLC v. eBay, 26 Inc., 278 F.R.D. 597, 601 (D. Nev. 2011). The party seeking a stay carries the heavy burden of making a strong showing why discovery should be denied. See, e.g., Turner Broadcasting Sys., Inc. v. Tracinda 27 Corp., 175 F.R.D. 554, 556 (D. Nev. 1997). The case law in this District makes clear that requests to 28

stay all discovery may be granted when: (1) the pending motion is potentially dispositive; (2) the potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken a "preliminary peek" at the merits of the potentially dispositive motion and finds it sufficiently meritorious to warrant a stay. See Kor Media Group, LLC v. Green, 294 F.R.D. 579, 581 (D. Nev. 2013).

Having reviewed these standards and the briefing on the motion to dismiss, the Court finds that the standards are met. Accordingly, the Court GRANTS the motion to stay discovery. Docket No. 30. In the event that the motion to dismiss is not granted in its entirety, the parties shall file a joint proposed discovery plan within 14 days of the issuance of the order resolving the motion to dismiss.

IT IS SO ORDERED.

DATED: July 25, 2016.

NANCY J. KOPPE

United States Magistrate Judge