

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
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DATE FILED: 11/18/2021**

CARMEN RIVERA, LETISHA WILLIAMS,
LISA MACK, ROSEMARY VAVITSAS,

Plaintiffs,

v.

S.C. JOHNSON & SON, INC.,

Defendant.

No. 20-CV-3588 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 25, 2021, Defendant moved to stay this case until at least December 7, 2021 in order to await final approval of a nationwide class settlement in *Clark v. S.C. Johnson & Son, Inc.*, No. RG20067897. Defendant represented that the resolution of the *Clark* case will subsume the class claims in this action. Dkt. 38. On November 2, 2021, the Court ordered Plaintiffs to inform the Court whether it opposed Defendant's request by no later than November 5, 2021. Dkt. 42. Plaintiffs opposed Defendant's motion, largely arguing that the "unfair settlement in *Clark* is unlikely to receive final approval." Dkt. 43 at 10. Plaintiffs also contend that Defendant's claim that the stay would be short "is patently false" because an intervenor in *Clark* "has asserted she will appeal the court's decision" if final approval is granted. *Id.* at 14. Finally, Plaintiffs represent that they will not be bound by the *Clark* settlement because "Plaintiffs . . . on behalf of themselves and all New York purchasers of the Products, opted-out of the settlement." *Id.* at 15. Defendant submitted a reply in support of its motion to stay on November 16, 2021. Dkt. 46.

Given the issues raised in the parties' briefs, the Court finds that a brief stay is warranted to evaluate the potential effect of the *Clark* settlement. Accordingly, this case is stayed, including the upcoming deadline for Defendant to move to dismiss Plaintiffs' Amended Complaint. By no later than December 8, 2021, the parties shall update the Court as to (1) whether the *Clark* settlement has been approved and the prospect of any appeal of such approval; (2) which individual Plaintiffs in the instant case have opted out of that settlement; and (3) the ongoing need for a stay in this action.

SO ORDERED.

Dated: November 18, 2021
New York, New York



Ronnie Abrams
United States District Judge