

show that there is pressing need for delay, and that neither the other party nor the public will suffer harm from entry of the order.” *Ohio Env’t Couns.*, 565 F.2d at 396.

While the Court acknowledges that resolution of the pending appeal in *Does #1–9*—a case addressing many of the same legal questions at issue in the present matter—is likely to inform this case’s trajectory, it agrees with Plaintiff that “Defendant cannot meet [its] burden of showing a ‘pressing need for delay, and that neither the other party nor the public will suffer harm from entry of the order.’” (Doc. 40, at 1–2 (quoting *Ohio Env’t Couns.*, 565 F.2d at 396).) Plaintiff expresses concern that, given Defendant’s track record of questioning binding Sixth Circuit precedent, nothing is to prevent it from doing the same in the event of an adverse outcome of *Does #1–9*. (*Id.* at 3 (“[T]he [Government] has demonstrated a penchant for ignoring the dictates of [*Does #1-5 v. Snyder*, 834 F.3d 696 (2016)] to defend the [Tennessee Sexual and Violent Sexual Offender Registration, Verification and Tracking Act of 2004.]”).) For this reason, Plaintiff argues he reaps no benefit—and, rather, suffers harm by way of significant delay in resolving his claims against Defendant—in agreeing to administratively stay the case. (*Id.* at 4–5.) And though Defendant claims it will be prejudiced if its motion is denied, it represented to the Court during the scheduling conference that it intends to engage in relatively minimal discovery consisting only of a deposition and some written discovery from Plaintiff. (Doc. 38, at 4; Doc. 43, at 2.)

Considering the above interests, the Court does not find that an indefinite stay is warranted. As a result, Defendant's motion to administratively stay the case (Doc. 37) is hereby

DENIED.

SO ORDERED.

/s/ Travis R. McDonough
TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE