UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CINDY HIETT, et al.,

Plaintiffs,

v.

MHN GOVERNMENT SERVICES, INC., et al.,

Defendants.

CASE NO. C12-5428 BHS

ORDER DENYING PLAINTIFFS' MOTION TO LIFT STAY

This matter comes before the Court on Plaintiffs' motion for a limited lift of the stay (Dkt. 28). The Court has considered the pleadings filed in support of and in opposition to the motion and the remainder of the file and hereby denies the motion for the reasons stated herein.

## I. PROCEDURAL HISTORY

On October 9, 2012, the Court stayed this case pending the appeal of a state court decision on an issue that is directly relevant to this proceeding. Dkt. 26. On October 11, 2012, Plaintiffs filed a motion for a limited lift of the stay. Dkt. 28. On October 22, 2012, Defendants responded. Dkt. 30. On October 25, 2012, Plaintiffs replied. Dkt. 32.

## II. DISCUSSION

"The power to grant a stay in pending litigation is incidental to the power inherent in every court to control the disposition of the cases on its docket." *Landis v. North Am. Co.*, 299 U.S. 248, 254–55 (1936). Accordingly, federal district courts have broad discretion to stay proceedings in the interests of justice. *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988).

In this case, Plaintiffs request that the Court lift the stay for the limited purpose of conditional certification of Plaintiffs' alleged class. Dkt. 28. Plaintiffs have failed to persuade the Court that any lifting of the stay would be in the interests of justice. The issue on appeal is whether arbitration should be enforced, which provides a less costly, less burdensome, and more efficient means of resolving disputes between private parties. *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740, 1749 (2011). Lifting the stay to continue with this proceeding would undermine this principle. Therefore, the Court denies Plaintiffs' motion.

## III. ORDER

Therefore, it is hereby **ORDERED** that Plaintiffs' motion to lift the stay (Dkt. 28) is **DENIED.**

Dated this 6th day of November, 2012.

BENJAMIN H. SETTLE
United States District Judge