

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LEANDRA ENGLISH,

Plaintiff,

v.

DONALD J. TRUMP and
JOHN MICHAEL MULVANEY,

Defendants.

Case No. 1:17-cv-02534-TJK

JOINT MOTION TO STAY PROCEEDINGS PENDING APPEAL

The parties jointly and respectfully move for a stay of further proceedings in this Court pending a decision from the U.S. Court of Appeals for the District of Columbia Circuit in Plaintiff’s appeal from this Court’s denial of her motion for a preliminary injunction. If this Motion is granted, the parties would file a joint status report regarding any further proceedings in this Court within fourteen days of a panel decision from the D.C. Circuit.

As good cause for this Motion, the parties state as follows:

1. A trial court has broad discretion to stay proceedings. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, counsel, and for litigants.” *Id.* at 254.

2. “[T]he decision to grant a stay, like the decision to grant an evidentiary hearing, is ‘generally left to the sound discretion of district courts.’” *Ryan v. Gonzales*, 568 U.S. 57, 74 (2013) (quoting *Schriro v. Landrigan*, 550 U.S. 465, 473 (2007)). This decision “calls for the district court, in ‘the exercise of judgment,’ to ‘weigh competing interests and maintain an even balance’ between the court’s interest in judicial economy and any possible hardship to the parties.” *Belize*

Soc. Dev. Ltd. v. Gov't of Belize, 668 F.3d 724, 732-33 (D.C. Cir. 2012) (quoting *Landis*, 299 U.S. at 254-55).

3. Plaintiff filed her original Complaint in this action on November 26, 2017. *See* ECF No. 1.

4. The Court denied Plaintiff's application for a temporary restraining order on December 1, 2017.

5. On December 6, 2017, Plaintiff filed an Amended Complaint and a Motion for a Preliminary Injunction. *See* ECF Nos. 22 & 23.

6. On January 10, 2018, the Court denied Plaintiff's Motion for a Preliminary Injunction. *See* ECF No. 47.

7. On January 12, 2018, Plaintiff filed her Notice of Appeal. *See* ECF No. 48.

8. In response to Plaintiff's emergency motion to expedite the appeal, the D.C. Circuit set the following briefing schedule:

- a. Appellant's Brief and Appendix: January 30, 2018
- b. Appellees' Brief: February 23, 2018
- c. Reply Brief: March 6, 2018

9. A stay would promote judicial economy and conserve the resources of the parties. Without a stay, Defendants anticipate that they would file a motion to dismiss, which would require additional briefing by the parties and consideration by the Court. Meanwhile, issues that would be presented by Defendants' motion to dismiss would be before the D.C. Circuit. Accordingly, the efficient resolution of this litigation would be advanced by a stay, and no party would be prejudiced. In addition, because the appeal has been expedited, the stay likely would be shorter than a stay pending a non-expedited appeal.

10. If the Court issues an order staying proceedings, the parties will file a joint status report within fourteen days of a panel decision from the D.C. Circuit in Plaintiff's appeal.

A proposed Order is attached.

Dated: January 30, 2018

Respectfully submitted,

/s/ Deepak Gupta
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