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

A.I.I.L., et al.,
Plaintiffs,
v.
Jefferson Beauregard Sessions, III, et al.,
Defendants.

No. CV-19-00481-TUC-JCH
ORDER

Pending before the Court is Plaintiffs’ Second Motion to Hold Action in Abeyance (“Motion”) (Doc. 67) for a period of sixty (60) days. Plaintiffs seek a second stay of the entire action to facilitate further settlement efforts in hopes of resolving their FTCA claims against the United States Defendant with the prospect of resolving their claims against the Individual Defendants through a global settlement. (See Doc. 67 at 3.) The United States consents to the Motion. Individual Defendants filed a Response (Doc. 68) and object to a stay of the individual-capacity claims. The Court will grant Plaintiffs’ Motion.

On June 1, 2021, the Court—after applying the factors laid out in *Lockyer v. Mirant Corp.*—ordered a 60-day stay in this matter. 398 F.3d 1098, 1110 (9th Cir. 2005). In the June 1, 2021 Order, the Court warned that it “will view any future stay requests with skepticism absent, for example, a showing that Plaintiffs and the United States Defendants are making meaningful progress towards settlement.” (Doc. 66 at 4).

Plaintiff’s Motion details such meaningful progress towards settlement, including:

1 at least 12 meetings, since the June 1, 2021 Order, between Plaintiffs and the United States;
2 a coordinated and nationwide effort to settle similar claims arising from family separations
3 at the U.S./Mexico border; and the stay of at least sixteen other similar cases to fully focus
4 attention on settlement efforts. (Doc. 67 at 2-3). In opposition, the Individual Defendants
5 rely on the reasons raised in their initial response, the crux being that the Individual
6 Defendants will suffer prejudice if the case is delayed, without raising any additional
7 argument. (Doc. 68, Doc. 64).

8 In reviewing the Motion, the Court finds that the circumstances, at this stage of the
9 proceedings, remain substantially similar: staying the case for an additional 60-days will
10 not significantly prejudice the Individual Defendants; it will allow Plaintiff to focus their
11 nationwide efforts on settlement; and at this juncture it will avoid exhausting, perhaps even
12 unnecessarily, judicial resources.

13 Accordingly,

14 **IT IS ORDERED GRANTING** Plaintiffs' Second Motion to Hold Action in
15 Abeyance (Doc. 67). **IT IS FURTHER ORDERED STAYING** this matter, including all
16 remaining deadlines and hearings, for a period of **SIXTY (60) DAYS** from the date of this
17 order.

18 Dated this 13th day of August, 2021.

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22 Honorable John C. Hinderaker
23 United States District Judge
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