

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 12-0887 CBM (AJWx)	Date	August 3, 2012
Title	Tracey Cooper-Harris and Maggie Cooper-Harris v. United States of America		

Present: The Honorable	CONSUELO B. MARSHALL		
	Joseph M. Levario		N/A
	Deputy Clerk		Court Reporter / Recorder
	Attorneys Present for Plaintiff:		Attorneys Present for Defendants:
	N/A		N/A

**Proceedings:** IN CHAMBERS/OFF THE RECORD

The matter before the Court is Intervenor-Defendant the Bipartisan Legal Advisory Group of the U.S. House of Representatives’s (“Advisory Group”) Motion to Stay Proceedings. [Docket No. 39.] The Advisory Group seeks to stay all proceedings in this case pending the ruling of the United States Court of Appeals for the Ninth Circuit in *Golinski v. U.S. Office of Personnel Management*, Nos. 12-15388 & 12-15079, including any ruling by that Court on any timely-filed petition for rehearing or petition for rehearing en banc.

“[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, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). Determining whether a stay is appropriate requires the “exercise of judgment, which must weigh competing interests and maintain an even balance.” *Landis*, 299 U.S. at 254-55. Three factors should be considered in granting a stay: 1) damage that could result from granting the stay; 2) hardship that may result if the stay is denied; and 3) following an “orderly course of justice” measured in the simplification or complication of “issues, proof, and questions of law” that may result from a stay being granted. *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005). “[I]f there is even a fair possibility that the stay... will work damage to some one else” the moving party must make a “clear case of hardship or inequity.” *Landis*, 299 U.S. at 255. “A stay should not be granted unless it appears likely the other proceedings will be concluded within a reasonable time in relation to the urgency of the claims presented to the court.” *Lockyer*, 398 F.3d at 1110 (quoting *Leyva v. Certified Grocers of California, Ltd.*, 593 F.2d 857, 863-64 (9th Cir. 1979)).

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After weighing the *Lockyer* factors, the Court DENIES the Advisory Group's Motion to Stay Proceedings.

**IT IS SO ORDERED.**

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Initials of Preparer	JL		