

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

BAYLEY'S CAMPGROUND, INC, d/b/a
BAYLEY'S CAMPING RESORT, *et al.*,

Plaintiffs

v.

JANET MILLS, in her official capacity as the
Governor of the State of Maine,

Defendant.

CIVIL ACTION NO.: 2:20-cv-00176-LEW

**DEFENDANT'S ASSENTED-TO MOTION TO
STAY FURTHER PROCEEDINGS PENDING APPEAL**

Defendant respectfully requests that further proceedings in this Court be stayed pending a further order or guidance from the First Circuit in plaintiffs' appeal of this Court's order denying plaintiff's Motion for Preliminary Injunction. In support, defendant states as follows:

1. At issue in this case is the constitutionality of the Governor's executive order, entered in response to the COVID-19 pandemic, requiring persons entering Maine (with some exceptions) to self-quarantine for 14 days.
2. On May 15, 2020, the plaintiffs filed a Motion for Preliminary Injunction asking that the executive order be enjoined. *See* Docket Item 3.
3. On May 29, 2020, following a response from defendant, the Court entered an order denying the Motion for Preliminary Injunction. *See* Docket Item 20.
4. On June 1, 2020, plaintiffs filed a Notice of Appeal to the United States Court of Appeals for the First Circuit of this Court's order denying the Motion for Preliminary Injunction. *See* Docket Item 21.

5. Plaintiffs subsequently filed a motion for an injunction pending appeal and a motion for reconsideration, both of which this Court denied on June 5, 2020. *See* Docket Item 27.
6. “[T]he First Circuit’s response to the interlocutory appeal is likely to inform the future handling of the case, and may well affect the nature and scope of discovery.” *Bruns v. Mayhew*, No. 1:12-CV-00131-JAW, 2013 WL 12234023, at *2 (D. Me. May 24, 2013). Potential guidance from the First Circuit may also “assist[] the expeditious and cost-effective resolution of this lawsuit.” *Id.*
7. Plaintiffs have no objection to further proceedings in this Court being stayed pending a further order or guidance from the First Circuit.

Wherefore, the defendant respectfully requests that further proceedings in this Court be stayed pending a further order or guidance from the First Circuit in plaintiffs’ appeal.

Dated: June 8, 2020

/s/ Christopher C. Taub
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CERTIFICATE OF SERVICE

I hereby certify that on this, the 8th day of June, 2020, I electronically filed the above document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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