

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA**

STATE OF FLORIDA,

*Plaintiff,*

v.

Case No. 8:21-cv-541-CEH-SPF

UNITED STATES OF AMERICA,

*et al.,*

*Defendants.*

\_\_\_\_\_ /

**FLORIDA'S UNOPPOSED MOTION TO STAY PROCEEDINGS**

Florida hereby files this Motion to Stay these proceedings pending appeal and in support states as follows:

**PROCEDURAL BACKGROUND**

On March 8, 2021, Florida filed this lawsuit against the Defendants seeking preliminary and permanent injunctive relief. Doc 1. On March 9, 2021 Plaintiff filed a Motion for Preliminary Injunction. Doc. 4. Defendants filed a Response to Plaintiff's Motion for a Preliminary Injunction on March 23, 2021. Doc. 23. On April 13, 2021 Florida's Motion was heard by the court. On May 18, 2021, the court entered an Order denying Florida's Motion for Preliminary Injunction. The following day, Florida filed a Notice of Appeal. Florida now seeks to stay the trial court proceedings pending resolution of the appeal. Florida has conferred with Defendants who consent to a stay of these proceedings.

## ARGUMENT

A district court's "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. North Am. Co.*, 299 U.S. 248, 254-55 (1936). As such, motions to stay are often granted to conserve judicial resources. *See Claridy v. City of Lake City*, No. 3:13-CV-558-J-39PDB, 2014 WL 11430972, at \*1 (M.D. Fla. Nov. 25, 2014) ("A stay of this action will conserve judicial resources until the Eleventh Circuit determines whether [the defendant] violated clearly established law on the date in question."); *Britt Green Trucking, Inc. v. FedEx Nat'l, LTL, Inc.*, No. 8:09-CV-445-T-33TBM, 2013 WL 12202486, at \*1 (M.D. Fla. Dec. 23, 2013) (granting motion to stay to conserve judicial resources).

Florida requests a stay of these proceedings in order to conserve resources of the parties and the court. Given the early stages of this case, a brief stay will not prejudice the parties or significantly delay any discovery or deadlines. Furthermore, Florida plans to file a Motion to Expedite Appeal with the Eleventh Circuit in an effort to resolve the appeal in an expedited manner. Based on the foregoing, Florida requests the court to stay these proceedings pending the appeal.

Respectfully submitted this 20th day of May 2021.

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CHIEF DEPUTY ATTORNEY GENERAL

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*/s/ Anita Patel* \_\_\_\_\_  
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**Local Rule 3.01(g) Certification**

The State of Florida hereby certifies that it has conferred with counsel for the Defendants by email regarding the relief requested herein. Defendants consent to a stay.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was filed with the Court's CM/ECF system, which provides notice to all parties, on this 20th day of May, 2021.

*/s/ Anita Patel* \_\_\_\_\_  
Anita Patel