

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Privacy Matters, a voluntary
unincorporated association; and Parent A,
president of Privacy Matters,

Case No. 16-cv-3015 (WMW/LIB)

Plaintiffs,

ORDER STAYING PROCEEDINGS

v.

United States Department of Education;
United States Department of Justice; John
B. King, Jr., in his official capacity as
United States Secretary of Education;
Loretta E. Lynch, in her official capacity as
United States Attorney General; and
Independent School District Number 706,
State of Minnesota,

Defendants,

and

Jane Doe, by and through her mother,
Sarah Doe,

Intervenor-Defendant.

This matter is before the Court on the parties' joint motion to suspend the proceedings in this case until the Supreme Court of the United States issues an opinion or otherwise resolves the case of *Gloucester County v. G.G.*, No. 16-273. (Dkt. 71.) The Court construes this motion as an unopposed motion to stay proceedings.

It is well-established that "the 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." *Cottrell v. Duke*,

737 F.3d 1238, 1248 (8th Cir. 2013) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). A district court has broad discretion to stay proceedings when doing so is appropriate to control its docket. *Sierra Club v. U.S. Army Corps of Eng'rs*, 446 F.3d 808, 816 (8th Cir. 2006) (citing *Clinton v. Jones*, 520 U.S. 681, 706 (1997)). Matters relevant to the district court's determination of whether a stay is warranted include docket control, conservation of judicial resources and facilitating the just determination of cases pending before the court. *Kemp v. Tyson Seafood Grp., Inc.*, 19 F. Supp. 2d 961, 964 (D. Minn. 1998).

Here, the Supreme Court's resolution of *Gloucester County v. G.G.* is likely to affect any further proceedings in this case, which remains at an early stage in its proceedings. Moreover, all parties to this case jointly request a stay. In light of the circumstances, the Court concludes that a stay is warranted in this case to control the Court's docket and conserve resources. Accordingly, based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The relief sought by the parties' joint motion, (Dkt. 71), is **GRANTED** as outlined herein.
2. This case, including all proceedings before the Court in this matter, is **STAYED** effective immediately.
3. This stay will remain in effect until the Supreme Court of the United States issues an opinion or otherwise resolves the case of *Gloucester County v. G.G.*, No. 16-273, at which time the stay shall automatically expire and be lifted.

4. Within 14 days of the stay's expiration, the parties shall file a joint report with this Court proposing a scheduling plan for proceeding, if at all, with this matter.

Dated: December 5, 2016

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge