

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

JANET JENKINS, ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	Case No.: 2:12-CV-184
)	
KENNETH L. MILLER, ET AL.)	
)	
Defendants.)	

ORDER

For the reasons stated below, the Court **denies as moot** the following five pending motions: ECF 222 (Motion for Entry of Order Lifting Stay filed by Plaintiffs on May 4, 2017); ECF 241 (Motion to Stay Discovery Pending Decision on Its Motion to Dismiss filed by Defendant Liberty University on June 8, 2017); ECF 244 (Motion to Stay Discovery Pending Resolution of Their Motions to Dismiss filed by Defendants Liberty Counsel, Mathew Staver, and Rena Lindevaldsen on June 12, 2017); ECF 245 (Motion to Stay Discovery Pending Resolution of Their Motions to Dismiss filed by Defendants Philip Zodhiates, Victoria Hyden, and Response Unlimited, Inc. filed on June 14, 2017); and ECF 249 (Motion to Stay Discovery Pending Resolution of the Motions to Strike and to Dismiss filed by Defendant Linda M. Wall on June 19, 2017).

I. ECF 222

This motion was filed by Plaintiffs on May 4, 2017 and requests entry of an order lifting the Court's prior stay of the instant case. The instant case had been stayed pending the resolution of criminal proceedings against Defendant Philip Zodhiates in the Western District of New York. See ECF 192.

This stay has already been lifted. In its March 20, 2017 Opinion and Order, the Court stated that "the Court grants Plaintiffs' motion to lift the stay of this civil case." ECF 220, p. 4 and p. 60. The Court ordered that "the stay be lifted on March 23, 2017 or on the date of Zodhiates' sentencing, whichever is later." *Id.* at 60. Judgment was entered in Zodhiates' criminal case on March 23, 2017. See ECF 222-2.

Thus, the stay in the instant case has been lifted since March 23, 2017. No additional order lifting the stay is necessary, and ECF 222 is denied as moot.

II. ECF 241, 244, 245, and 249

These four motions request stays of discovery pending the Court's ruling on Defendants' motions to dismiss and motions to strike. The Court issued its Opinion and Order ruling on the motions to dismiss (ECF 170, 171, 228, 237, 238, and 242) and the motions to strike (ECF 239 and 243) on September 29, 2017. See ECF 277. Thus, Defendants' motions to stay discovery pending the Court's issuance of that decision are denied as moot.

III. Conclusion

For the foregoing reasons, ECF 222, 241, 244, 245, and 249 are **denied as moot**.

Dated at Burlington, in the District of Vermont, this 26th day of March, 2018.

/s/William K. Sessions III

William K. Sessions III
U.S. District Court Judge