

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RACHEL TUDOR,

Plaintiff,

v.

SOUTHEASTERN OKLAHOMA STATE
UNIVERSITY, and

THE REGIONAL UNIVERSITY
SYSTEM OF OKLAHOMA,

Defendants.

Case No. 15-cv-324-C

**DEFENDANTS' MOTION TO STAY
PLAINTIFF'S MOTION FOR RECALCULATION OF DAMAGES**

Defendants, Southeastern Oklahoma State University, ("SEOSU"), and the Regional University System of Oklahoma ("RUSO"), ("Defendants"), request the Court stay Plaintiff's Motion for Recalculation of Damages. [Doc. 377]. In support of their motion, Defendants show the Court as follows:

1. On November 2, 2021, in accordance with this Court's Order [Doc. 366], Plaintiff filed her Motion for Recalculation of Damages. [Doc. 377]. In her motion, Plaintiff seeks recalculation of front pay and back pay.

2. Defendants' response to Plaintiff's Motion for Recalculation of Damages is due November 23, 2021.

3. This Court previously stayed the numerous unresolved Motions for Attorney's Fees, pending resolution of the appellate process:

[T]he Court is persuaded the appropriate action is to stay resolution of the issue pending completion of the appellate process. Given the complexity of the issue,

it is a waste of judicial resources and the parties' resources to parse out who is entitled to what when there is a possibility that an appellate court will render the entire issue moot.

[Doc. 345]

4. The Court's prior rationale for staying the pending motions for attorney fees is applicable to Plaintiff's Motion for Recalculation of Damages.

5. The appellate process has not yet concluded. Pursuant to U.S. Sup. Ct. Rule 13, a petition for a writ of certiorari in the Supreme Court must be filed within ninety (90) days after entry of the judgment. The Tenth Circuit's judgment was entered on September 13, 2021, and therefore Defendants' petition for writ of certiorari is due on or before December 13, 2021. Thus, the appellate process will conclude either when Defendants decline to file a petition for certiorari, when such a petition is denied, or when such a petition is granted and the case is decided.

6. There will be no impact on any scheduled deadlines if the stay is granted.

7. Moreover, Defendants are hopeful that all issues can eventually be resolved in a settlement or mediation, rather than through adversarial briefing before this Court. Such a possibility would be enhanced by a stay of all motions at this juncture.

For the reasons set forth above, Defendants respectfully request this Court stay Plaintiff's Motion for Recalculation of Damages until the appellate process has been completed.

Respectfully submitted,

/s/ Dixie L. Coffey

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*Attorneys for Defendants Southeastern Oklahoma State
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Oklahoma*

CERTIFICATE OF SERVICE

I certify that on this 22nd day of November 2021, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing; I further certify that a true and correct copy of the foregoing document was sent via the ECF System to all counsel who are registered participants.

/s/Dixie L. Coffey

Dixie L. Coffey