



June 14, 2024

The Hon. Diane Gujarati  
U.S. District Judge  
225 Cadman Plaza East  
Brooklyn, NY 11201

*Via ECF*

Re: *Alexander v. Sutton*, No. 1:24-cv-2224-DG-JRC

Dear Judge Gujarati:

On behalf of all the parties, I write to move for an administrative order staying the proceedings, apart from the pending preliminary injunction motion, until either 30 days following the Court's decision of that motion or, should any party appeal from that decision, until that appeal's resolution. The current June 24 report deadline, and the June 26 status conference, would be rescheduled at the stay's conclusion.

However it may turn out, the decision of Plaintiffs' pending preliminary injunction motion will provide the parties with additional useful information about Plaintiffs' likelihood of success on the merits, and may prompt settlement, which is currently not possible. Moreover, this Court's resolution of the preliminary injunction motions could significantly alter the parties' desired scope of discovery. As a result, it is perhaps counter-productive to develop a discovery schedule at this time.

"[T]he 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. N. Am. Co.*, 299 U.S. 248, 254 (1936); *Clinton v. Jones*, 520 U.S. 681, 706-08 (1997); *Louis Vuitton Malletier S.A. v. LY USA, Inc.*, 676 F.3d 83, 96-97 (2d Cir. 2012). This Court's discretion to enter an administrative stay for these reasons is "broad." *Mulligan Law Firm v. Zyprexa MDL Plaintiffs' Steering Comm. II (In re Zyprexa Prods. Liab. Litig.)*, 594 F.3d 113, 127 (2d Cir. 2010) (Kaplan, J., concurring).

Here, the parties disagree about the merits of the case, but are in agreement that it would promote judicial efficiency and preserve everyone's time and resources to first resolve the pending preliminary injunction motion.

Sincerely

/s/ Alan Gura  
Alan Gura  
Counsel for Plaintiffs

cc: All parties via ECF