

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

JOHN PRICE,

Plaintiff,

v.

MOODY INDEPENDENT SCHOOL
DISTRICT, MOODY ATHLETIC
BOOSTER CLUB, ANDREW MILLER,
BRANDY HIPHER COX,

Defendants.

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CIVIL NO. 6:23-CV-00845-ADA-DTG

ORDER DENYING ECF NO. 17

Before the Court is ECF No. 17, Plaintiff's Unopposed Motion for Stay, filed March 21, 2024. The Court has considered the Motion, and it is **DENIED-IN-PART** and **GRANTED-IN-PART**.

The Motion makes a general and specific request. The basis of the Motion is that the parties are engaged in settlement discussions. The motion states that the parties "are presently engaged in settlement discussions," and Plaintiff requests a three-week stay, "to conserve resources." *Id.* In addition to general request for a three week stay, the Motion requests an extension of two briefing deadlines—Plaintiff's Response to Defendants' Motion to Dismiss and Defendants' Reply in Support of Motion to Dismiss. *Id.*

Courts have great discretion over their docket, including over whether to stay a pending case. *In re Ramu Corp.*, 903 F.2d 312, 318 (5th Cir. 1990). The Court finds that a pending motion to dismiss and engaging in settlement discussions are no basis for staying the case. The parties have not indicated that they have reached a settlement and need time to memorialize it, but indicate only that they are engaged in discussions. The Court expects parties to consider and en-

gage in settlement discussions throughout a case while at the same time preparing the case for trial.

The Court finds that the Motion fails provided a sufficient basis to stay the case and Plaintiff's general request for a stay is **DENIED**. The pending motion to dismiss does not excuse the parties from engaging in discovery or conducting the required conference under Rule 26. The Court finds, however, that Plaintiff's specific request for extension of briefing deadlines is reasonable as it does not otherwise affect any deadlines or discovery in this case. Therefore, Plaintiff's specific request to extend the briefing deadlines for Defendants' Motion to Dismiss [ECF No. 16] is **GRANTED**. It is **ORDERED** that Plaintiff's Response to Defendants' Motion to Dismiss is due on April 18, 2024 and Defendants' Reply in Support of Motion to Dismiss is due on April 25, 2024 or seven days after Plaintiff files it's response, whichever date is earlier.

SIGNED this 28th day of March, 2024.

A handwritten signature in black ink, appearing to read "Derek T. Gilliland", is written over a horizontal line.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE