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**THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

ANHVU C. NGUYEN, an individual,
Plaintiff,

vs.

CORPORATION OF WESTERN
GOVERNORS UNIVERSITY, a Utah
Corporation,
Defendant.

Case No. 2:22-cv-00138-JNP-CMR

**JOINT MOTION FOR STAY
PENDING MEDIATION**

Judge Jill N. Parrish
Magistrate Judge Cecilia M. Romero

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, Plaintiff Anhvu C. Nguyen and Defendant Corporation of Western Governors University (collectively, the “Parties”), request the Court to grant a stay of case, including a stay on submitting an Attorney Planning Meeting Report and Proposed Scheduling Order, discovery, and Plaintiff’s response to Defendant’s Motion to Dismiss, pending mediation. In support of this Joint Motion, the parties state as follows:

1. Plaintiff filed a Complaint on February 28, 2022, alleging discrimination and retaliation against Defendant.

2. On April 6, 2022, Defendant filed a motion to dismiss a majority of the causes of action asserted in the Complaint.

3. The same date, the Parties agreed to schedule mediation with a private mediator. The parties' preferred mediator is unavailable until July 2022. The parties expect to mediate on a date in that month.

4. Good cause exists to grant a stay in this case. Courts have "inherent power to stay proceedings in any matters pending before it." *Asphalt Trader Ltd. v. Beall*, No. 1:20-cv-00155-JNP-CMR, 2021 U.S. Dist. LEXIS 172652, at *12 (D. Utah Sept. 10, 2021) (granting motion to stay because it "would promote judicial economy and minimize expenses for both parties"). Here, staying the case, including the requirement to file an Attorney Planning Meeting Report and Proposed Scheduling Order, will promote judicial economy. The Parties wish to avoid the unnecessary burden and expense of discovery and responding to Defendant's Motion to Dismiss before the mediation process is completed. If mediation is successful, there will be no need for the Court to issue a Proposed Scheduling Order or calendar a date for trial, and the parties will file a Notice of Settlement while they finalize settlement.

5. On the other hand, if the mediation is unsuccessful, the Parties will agree to jointly submit an Attorney Planning Meeting Report and Proposed Scheduling Order within

10 days of any failed mediation.

WHEREFORE, for all these reasons, the Parties by and through their attorneys jointly request that the Court grant their motion to stay pending mediation. If necessary, the Parties will file an Attorney Planning Meeting Report and Proposed Scheduling Order within 10 days of any failed mediation.

Respectfully submitted this 12th day of April 2022.

/s/ Brandon Sipherd

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CORPORATION OF WESTERN
GOVERNORS UNIVERSITY, a Utah
Corporation,
Defendant.

Case No. 2:22-cv-00138-JNP-CMR
**PROPOSED ORDER GRANTING
JOINT MOTION TO STAY
PENDING MEDIATION**

Judge Jill N. Parrish
Magistrate Judge Cecilia M. Romero

This matter is before the Court on the Parties' Joint Motion for Stay Pending Mediation. For good cause shown, the Joint Motion is GRANTED. The case is hereby STAYED pending the parties' upcoming mediation.

If necessary, the Parties will submit an Attorney Planning Meeting Report and Proposed Scheduling Order within 10 days of any failed mediation. If the mediation is successful, the Parties will file a Notice of Settlement promptly while the parties

finalize their settlement.

SIGNED on this _____ day of April.

Cecilia M. Romero
UNITED STATES MAGISTRATE JUDGE