

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

WILLIAM HOGAN, JR.,

Plaintiff,

v.

Case No: 2:18-cv-134-FtM-99CM

JULIAN GOMEZ, TAKATA
CORPORATION, TAKATA INC.,
TK HOLDINGS INC. and FORD
MOTOR COMPANY,

Defendants.

ORDER

This matter comes before the Court upon review of Plaintiff's Unopposed Motion to Stay (Doc. 14) filed on March 5, 2018. Plaintiff seeks to stay Defendant Ford Motor Company's deadline to file an amended memorandum in support of its motion dismiss, Plaintiff's deadline to respond to the motion to dismiss and the parties' compliance with the Orders (Docs. 7, 8) and Rule 26 of the Federal Rules of Civil Procedure because on or before March 30, 2018, Plaintiff will seek to remand this case to state court for lack of subject matter jurisdiction. Doc. 14 at 2. Defendant Ford Motor Company does not oppose the requested relief, and Defendant TK Holdings Inc. does not take any position on this motion because an automatic bankruptcy stay as to Defendants Takata Corporation and TK Holdings Inc. is in effect. Docs. 11, 14 at 4.

"The 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); *see also Ricks v. Allied Interstate, LLC*, No. 3:16-cv-00205-HES-PDB, 2016 WL 4505173, at *1 (M.D. Fla. July 11, 2016). This is best accomplished by the “exercise of judgment, which must weigh competing interests and maintain an even balance.” *Landis*, 299 U.S. at 255. Based on the totality of the circumstances of this case and the lack of objection from Defendants, the Court will stay certain deadlines until the Court rules on Plaintiff’s future motion to remand this case to state court.

ACCORDINGLY, it is hereby

ORDERED:

1. Plaintiff’s Unopposed Motion to Stay (Doc. 14) is **GRANTED**.
2. Plaintiff shall have up to and including **March 30, 2018** to file a motion to remand this case to state court.
3. The parties shall comply with Rule 26 of the Federal Rules of Civil Procedure and the Court’s Orders (Docs. 7, 8) within **FOURTEEN days** after the Court enters an Order on Plaintiff’s motion to remand.
4. Defendant Fort Motor Company shall file an amended memorandum of law in support of its motion to dismiss within **FOURTEEN days** after the Court enters an Order on Plaintiff’s motion to remand.

DONE and **ORDERED** in Fort Myers, Florida on this 9th day of March, 2018.



CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record