

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 2:23-cv-452-JLB-KCD

MARK A. GYETVAY,

Defendant.

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ORDER

Before the Court is a Joint Motion to Stay Discovery and for Leave to File Two Motions for Summary Judgment. (Doc. 36.) Both issues hinge on the appeal of Defendant's criminal case, which is pending at the Eleventh Circuit. Considering the interplay between the criminal appeal and this civil suit, the Court agrees that judicial economy favors a stay. But the Court has concerns about ruling on the issue of collateral estoppel while the appeal is pending, and thus denies that request. Resolution of the appeal could render the collateral estoppel question moot. So to avoid the unnecessary expenditure of judicial resources, the Court will take up that issue when the criminal proceedings are final. An amended schedule will follow once the criminal appeal concludes and the stay is lifted.

Accordingly, it is **ORDERED**:

1. The Joint Motion to Stay Discovery and for Leave to File Two Motions for Summary Judgment (Doc. 36) is **GRANTED IN PART AND DENIED IN PART**. The Clerk is directed to add a stay flag to the docket and administratively close the case.
2. The parties are directed to file a status report by **September 9, 2024**, and every ninety days thereafter.
3. The parties are directed to file a notice once the appeal has concluded.

ENTERED in Fort Myers, Florida on June 10, 2024.



Kyle C. Dudek
United States Magistrate Judge

Copies: All Parties of Record