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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

UNITED FARM WORKERS, et al.,

Plaintiffs,

vs.

THE UNITED STATES DEPARTMENT OF
LABOR, et al.,

Defendants

Case No.: 1:20-cv-01690-DAD-JLT

**PROPOSED INTERVENORS MOTION
TO STAY**

PROPOSED INTERVENORS' MOTION TO STAY

The National Council of Agricultural Employers and Western Growers Association
(collectively, "Proposed Intervenors") move under Federal Rules of Civil Procedure 6(b) and the
Court's inherent authority to manage its docket to stay all proceedings in this case pending the

1 Court's ruling on Proposed Intervenor's Joint Motion to Intervene. Proposed Intervenor's state
2 the following in support of this motion:

- 3 1. Every court has the power to control the "disposition of the causes on its docket with
4 economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am.*
5 *Co.*, 299 U.S. 248, 254-55 (1936).
- 6 2. This control can best be done by exercising sound judgement in weighing competing
7 interest and maintaining an even balance. *Id.*
- 8 3. Proposed Intervenor's are requesting a stay of the Court's ruling on Plaintiff's and
9 Defendant's Stipulation and Proposed Order until Proposed Intervenor's Joint Motion for
10 Intervention is ruled upon.
- 11 4. If the Court does not stay the proceedings pending the ruling on Proposed Intervenor's
12 Motion, it would cause significant waste of judicial resources to potentially undo what
13 the Court has already done after finally hearing from the Proposed Intervenor's, the ones
14 responsible for making the potential equitable relief (back pay).
- 15 5. The current parties to this case will not be prejudiced by a stay as Proposed Intervenor's
16 are a party that must be heard in this adversarial process as the process requires that the
17 Court hear from both sides before the interests of one are impaired. *Sierra Club v. United*
18 *States EPA*, 995 F.2d 1478 (9th Cir. 1993).

19 For the foregoing reasons and such others as may appear to the Court, Proposed Intervenor's
20 respectfully request that the Court use its sound discretion to grant their Motion to Stay pending
21 ruling on their pending Joint Motion to Intervene.

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23 DATED: June 10, 2021

Respectfully submitted,

24 SMITH, GAMBRELL & RUSSELL, LLP

25
26 /s/ Patrick J. Cain

Patrick J. Cain

27 Attorney for the Intervenor
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