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

25 UNITED FARM WORKERS, et al.,

26 Plaintiffs,

27 vs.

28 THE UNITED STATES DEPARTMENT OF  
29 LABOR, et al.,

30 Defendants

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

**PROPOSED INTERVENORS MOTION  
TO STAY**

**PROPOSED INTERVENORS' MOTION TO STAY**

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

1 Court's ruling on Proposed Intervenors' Joint Motion to Intervene. Proposed Intervenors 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 Intervenors are requesting a stay of the Court's ruling on Plaintiffs and  
9 Defendants' Stipulation and Proposed Order until Proposed Intervenors' Joint Motion for  
10 Intervention is ruled upon.
- 11 4. If the Court does not stay the proceedings pending the ruling on Proposed Intervenors'  
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 Intervenors, 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 Intervenors  
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 Intervenors  
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.

22  
23 DATED: June 10, 2021

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

25  
26 /s/ Patrick J. Cain

Patrick J. Cain

27 *Attorney for the Intervenor*  
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