

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARY KATE GULICK,

Plaintiff,

vs.

CARSON GROUP HOLDINGS, LLC,

Defendant.

8:24CV141

ORDER

This matter is before the Court on Defendant's Motion to Stay Proceedings. [Filing No. 60](#). Defendant moves to stay all proceedings in this case and the deadlines set forth in the Court's Final Progression Order pending a ruling on Defendant's Motion for Sanctions. Defendant requests the stay not apply to certain discovery requests related to its Motion for Sanctions. Plaintiff opposes Defendant's motion to stay.

"A district court has discretionary authority to stay proceedings pending on its docket." [Velazquez v. United States, No. 8:18CV406, 2019 WL 13223709, at *3 \(D. Neb. May 28, 2019\)](#) (quoting citation omitted). "In determining whether a stay is warranted, courts consider '(1) the plaintiffs' interest in proceeding expeditiously with litigation and the potential prejudice to the plaintiffs of a delay; (2) the burden that the proceeding will cause the defendants; (3) the convenience of the court in the management of its cases and the efficient use of judicial resources; (4) the interests of persons not parties to the civil litigation and (5) the public's interests in

the pending civil and criminal litigation.” *Id.* (quoting *Kozlov v. Associated Wholesale Grocers, Inc.*, No. 4:10-CV-3213, 2012 WL 12887562, at *1 (D. Neb. Feb. 15, 2012)). “Balancing these factors is a case-by-case determination, with the basic goal being to avoid prejudice.” *Id.* (quoting citation omitted).

Considering these factors, a stay is appropriate. Defendant’s Motion for Sanctions alleges Plaintiff altered medical records and seeks, among other sanctions, dismissal of her case with prejudice. [Filing No. 62](#). Given the seriousness of the allegations and the sanctions Defendant seeks, staying case progression pending a ruling on Defendant’s Motion promotes judicial efficiency. Moreover, although Plaintiff opposes Defendant’s Motion, she did not explain why a stay is not appropriate. Finally, Defendant represents in its reply brief the parties have been collectively proceeding as if a stay were in place. This assertion is supported by the docket. Under these circumstances, the Court will stay case progression pending a ruling on the Motion for Sanctions.

The Court is not, however, inclined to allow discovery to proceed on Defendant’s discovery requests related to the Motion for Sanctions. Defendant could have waited to file its Motion until Plaintiff responded to these requests or Defendant litigated to compel Plaintiff to respond. Defendant opted not to wait to file its Motion, and the Motion for Sanctions is now fully submitted.

Accordingly,

IT IS ORDERED that Defendant’s Motion to Stay Proceedings, [Filing No. 60](#), is granted in part and denied in part.

- 1) Defendant’s Motion is denied to the extent Defendant is seeking a partial stay to allow discovery to proceed on its discovery requests related to the Motion for Sanctions.
- 2) The deadlines set forth in the Court’s Final Progression Order and all proceedings in this case (except any proceedings related to the Motion

for Sanctions) are stayed pending further Order of the Court and a ruling on Defendant's Motion for Sanctions.

Dated this 3rd day of November, 2025.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge