

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

PHILLIPS 66 COMPANY,

Plaintiff,

v.

DAVID GEORGE, et al.,

Defendants.

Case No. 16-CV-2814-JAR-GLR

MEMORANDUM AND ORDER

Before the Court is Defendant Gregory Gustin's Motion to Stay Case and Extend Case Deadlines (ECF 30). Plaintiff did not oppose the motion. For the reasons set forth below, however, the Court denies the motion.

Defendant filed his motion on October 16, 2017. It states he has discharged his counsel and intends to represent himself. As reason for the stay, Defendant states he is a non-lawyer, is attempting to negotiate a settlement with Plaintiff, and is preparing to represent himself if settlement negotiations are unsuccessful.

"In deciding to stay proceedings indefinitely, a trial court must first identify a pressing need for the stay. The court must then balance interests favoring a stay against interests frustrated by the action." *Cherokee Nation of Oklahoma v. United States*, 124 F.3d 1413, 1416 (Fed. Cir. 1997). The Court must keep in mind its "paramount obligation to exercise jurisdiction timely in cases properly before it." *Id.* In this case, Defendant has shown no pressing need for an indefinite stay. That he is now representing himself does not provide a pressing need to justify an indefinite stay.

Further, Plaintiff has informed the Court that Defendant has responded to all of its discovery requests. At this time, the only remaining deadlines are the Final Pretrial Conference

(March 1, 2018) and the dispositive motion deadline (March 15, 2018). No party has requested that these deadlines be extended. Therefore, the Court denies the motion in its entirety. Plaintiff shall provide the Court with a proposed Final Pretrial Order by February 22, 2018.

IT IS THEREFORE ORDERED BY THE COURT that Defendant Gregory Gustin's Motion to Stay Case and Extend Case Deadlines (ECF 30) is **denied**.

Dated January 23, 2018, at Kansas City, Kansas.

S/ Gerald L. Rushfelt
Gerald L. Rushfelt
U.S. Magistrate Judge