

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JEFFREY S. GREEN, )  
 )  
 Plaintiff, )  
 )  
 v. ) Case No. 18-2247-TC  
 )  
 CHRISTIAN BLAKE and )  
 JOSHUA LEONARD, )  
 )  
 Defendants. )

**ORDER**

The parties have filed a joint motion (ECF No. 145) to modify or vacate the second amended scheduling order (ECF No. 116). Essentially, they’re asking for a stay until plaintiff’s motion to dismiss (ECF No. 125) and defendants’ motion for leave to file a third-party complaint (ECF No. 119) are resolved by the presiding U.S. District Judge, Toby Crouse.

The court doesn’t look favorably on the parties’ choice not to file a motion to stay; rather, they chose not to conduct discovery because of their “reluctance,” waiting until the end of the discovery period to ask the court for relief. That said, given the pending motions and the procedural history of this case, the court agrees it’s most efficient at this point to pause the case until the remaining claims and parties are determined.

IT IS THEREFORE ORDERED that the motion (ECF No. 145) is granted. The remaining deadlines in the second amended scheduling order (ECF No. 116) are vacated. Should the case remain pending after Judge Crouse rules on the dispositive motions, the

parties are directed to confer and submit a planning meeting report to the undersigned's chambers within 14 days.

Dated February 4, 2021, at Kansas City, Kansas.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge