

United States District Court  
Middle District of Florida  
Jacksonville Division

**AETNA HEALTH INC., ET AL.,**

**Plaintiffs,**

v.

**No. 3:24-cv-1343-BJD-LLL**

**RADIOLOGY PARTNERS, INC., ET AL.,**

**Defendants.**

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### **Order**

Before the Court is Defendants' Motion to Stay and Incorporated Memorandum of Law, doc. 92, and plaintiffs' response in opposition, doc. 98. Defendants request the Court stay the proceedings pending resolution of the parties ongoing arbitration. *See generally* doc. 92. For the reasons stated below, defendants' motion to stay, *id.*, is denied; the Court nonetheless stays the case.

### **Background<sup>1</sup>**

On August 11, 2025, the Court issued its Report and Recommendations, recommending that the complaint be stricken as an impermissible shotgun pleading because it failed to clearly distinguish whether the causes of action alleged misconduct

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<sup>1</sup> Given the well-established procedural history in the record, the Court recites only the procedural history necessary to address defendants' motion to stay. A full discussion of the case's procedural background is set forth in the Court's Report and Recommendations. See doc. 74.

during the contract period—subject to an arbitration clause—or post-contract period. *See* doc. 74. The Court further recommend that plaintiffs be directed to file an amended complaint and defendants’ pending motions to compel and to dismiss be denied without prejudice. *Id.*

On September 12, 2025, the Court adopted the Report and Recommendations, striking the complaint and denying defendants’ motions. Doc. 79. On October 3, 2025, plaintiffs filed an amended complaint asserting claims that defendants engaged in an improper billing scheme during the post-contract period. Doc. 80. The parties also separately initiated arbitration with respect to claims arising from the same alleged improper billing scheme occurring during the contract period. See generally doc. 92. Defendants now request that the Court enter an order staying this case pending the conclusion of arbitration, which plaintiffs oppose. Docs. 92, 98.

### Analysis

As a general matter, this Court “has broad discretion to stay proceedings as an incident to its power to control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997); *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”); *Johnson v. Bd. of Regents of Univ. of Ga.*, 263 F.3d 1234, 1269 (11th Cir. 2001) (“[W]e accord district courts broad discretion over the management of pre-trial activities, including discovery and scheduling.”). Determination of whether to impose a stay “calls for the exercise of judgment, which must weigh competing interests and

maintain an even balance.” *Landis*, 299 U.S. at 254 (citing *Kansas City S. Ry. Co. v. U.S.*, 282 U.S. 760, 763 (1931)).

Defendants request that this Court grant a stay of “[a]ny count in the [a]mended [c]omplaint not dismissed . . .” until the conclusion of the pending arbitration. Doc. 92 at 5. Because defendants’ requested relief requires the Court to first rule on the motion to dismiss—which it has not yet done—the issue is not ripe for review. Accordingly, defendants’ motion, doc. 92, is premature and is due to be denied.

Nevertheless, the pending motion to dismiss raises facial challenges to the legal sufficiency of the claims brought by plaintiffs. *See generally* doc. 84. Defendants assert, among other things, that plaintiffs have failed to exhaust their administrative remedies and have failed to state a valid claim for relief. *See generally id.* The Court finds that, in the interest of efficiency and judicial economy, this case should be temporarily stayed pending resolution of the motion to dismiss. A temporary stay will allow the parties to narrow the issues in this lawsuit; moreover, should defendants seek another stay, the Court can assess if the arbitrable claims “predominate or whether the outcome of the [remaining] non-arbitrable claims will depend on the arbitrator’s decision” and thus, whether a further stay is warranted. Doc. 98 at 13 (citing *Klay v. All Defendants*, 389 F.3d 1191, 1204 (11th Cir. 2004)). Therefore, at this juncture, the Court finds a limited stay of the case pending resolution of the motion to dismiss is warranted.

**It is ordered:**

1. This case is **stayed** pending resolution of Defendants' Motion to Dismiss and Memorandum of Law, doc. 84.
2. Defendants' Motion to Stay and Incorporated Memorandum of Law, doc. 92, is **denied without prejudice**; Defendants may refile their motion to stay following the Court's ruling on their motion to dismiss.

**Ordered** in Jacksonville, Florida on February 2, 2026.



/s/ Laura Lothman Lambert  
United States Magistrate Judge

c:

Nathaniel Moore, Esquire  
Kyle D. Nelson, Esquire  
Marcus A. Guith, Esquire  
Paul D. Weller, Esquire  
Jared Joseph Burns, Esquire  
Glenn E. Solomon, Esquire  
Brian P. Miller, Esquire  
Christopher Charles Jew, Esquire  
Michael H. Thompson, Esquire  
Samantha Joy Kavanaugh, Esquire  
Sara Ann Brinkmann, Esquire  
Maria Dolores Garcia, Esquire  
Jennifer Lodge Grosso, Esquire