

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA
ex rel. CLARISSA ZAFIROV,

Plaintiff,

v.

Case No. 8:19-cv-1236-T-KKM-SPF

FLORIDA MEDICAL ASSOCIATES
LLC, et al.,

Defendants.

ORDER

The defendants move to stay discovery pending an order on their motions to dismiss. (Docs. 43, 52). Relator Clarissa Zafirov opposes the defendants' motions. (Doc. 58).

For good cause, the court may stay discovery to protect parties from annoyance, undue burden, or expense. Fed. R. Civ. P. 26(c); *Panola Land Buyers Ass'n v. Shuman*, 762 F.2d 1550, 1558–59 (11th Cir. 1985). Before allowing discovery to begin, district courts should attempt to resolve motions to dismiss to avoid unnecessary costs to litigants and the court. *See Chudasama v. Mazda Motor Corp.*, 123 F.3d 1353, 1367–68 (11th Cir. 1997).

This case, an unsealed action under the False Claims Act, was reassigned to the undersigned. The defendants' motions to dismiss were pending for months before the undersigned inherited this case, and the parties may very well have proceeded with discovery in the absence of a ruling on the stay motions. However, the Court finds good

cause to stay discovery until an order on the defendants' motions to dismiss is entered. Staying discovery will avoid expending the parties' resources and judicial resources on possible discovery disputes while the Court decides the motions to dismiss. And a stay will allow the undersigned to better manage this inherited case. *See Ortega Trujillo v. Conover & Co. Commc'ns Inc.*, 221 F.3d 1262, 1264 (11th Cir. 2000) ("A stay sometimes is authorized simply as a means of controlling the district court's docket and of managing cases before the district court.").

The defendants' motions to stay discovery (Docs. 43, 52) are **GRANTED**. Discovery is **STAYED** pending an order on the defendants' motions to dismiss. Within ten days of the Court's order on the defendants' motion to dismiss, the parties must meet and confer for the purpose of preparing and filing an amended Case Management Report. The amended Case Management Report must be filed on the docket within five days of the parties' meeting.

ORDERED in Tampa, Florida, on June 11, 2021.


Kathryn Kimball Mizelle
United States District Judge