

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

**Case No. CV 20-10713-MWF (RAOx)**                      **Date: October 31, 2022**

**Title:** Jane Doe No. 1, et al. v. Daniel S. Fitzgerald

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**Present:** The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:  
Rita Sanchez

Court Reporter:  
Not Reported

Attorneys Present for Plaintiff:  
None Present

Attorneys Present for Defendant:  
None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE REGARDING  
THE U.S. ATTORNEY’S OFFICE FOR THE SOUTHERN  
DISTRICT OF NEW YORK’S APPLICATION TO INTERVENE  
AND FOR A MANDATORY STAY [210]**

In light of the United States Attorney’s Office (“USAO”) for the Southern District of New York’s Application to Intervene and for a Mandatory Stay (Docket No. 210), the current parties to this action are **ORDERED TO SHOW CAUSE**, in writing, by no later than **November 10, 2022**, as to why the USAO’s Application should not be granted.

If Plaintiffs and/or Defendant do not oppose the Application, they may file a Stipulation, jointly or separately, to that effect. Otherwise, the parties shall file individual Responses to the OSC. The Court notes that it previously raised the mandatory stay provision of the Trafficking Victims Protection Reauthorization Act (18 U.S.C. § 1595(b)(1)) and addressed it at a hearing on December 20, 2021. (*See* Docket Nos. 123 and 126). The main reason provided by counsel as to why the stay provision did not apply was because “the mandatory aspect [of the stay provision] . . . only comes into play when the Department of Justice itself intervenes in a case . . . and asks the Court to stay it under that provision.” (Docket No. 126, Transcript at 38:12-19). Clearly, that argument no longer applies. But the Court acknowledges that there may be other colorable bases to oppose the Application.

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Specifically, any opposition to the USAO's Application should respond to the USAO's arguments that (1) the mandatory stay provision is not limited to particular parties or claims but extends to any related civil litigation; and that (2) a discretionary stay is also warranted under *Landis v. North American Co.*, 299 U.S. 248, 254 (1936).

If any Response is filed in opposition to the USAO's Application, the USAO may file an optional Reply in the form of a pleading by no later than **November 17, 2022**. The Court will maintain the courtesy previously extended of allowing the USAO to e-mail the Reply to the courtroom deputy, who will then place the Reply on the docket. However, the Reply must be in the form of a pleading, as required by this District's Local Rules. The formatting requirements are set forth in Local Rule 11-3. While the Court accepted the letter brief initially submitted by the USAO, in this District letters to the Court are specifically forbidden. Local Rule 83-2.5.

IT IS SO ORDERED.