

suspend that injunction. *See* Fed. R. Civ. P. 62(c). Here, there is no appeal pending. *See* Defs.’ Mot. Stay, ECF No. 42. Instead, Defendants ask the Court to issue a stay “pursuant to the Court’s inherent authority to manage its docket, which includes the authority to issue a stay of proceedings.” Defs.’ Reply Mot. Stay 2, ECF No. 46. The burden of proof for a motion to stay is on the movant to demonstrate that the issuance of a stay is warranted. *Bray v. Fort Dearborn Life Ins. Co.*, No. 3:06-cv-560-B, 2008 WL 1820594 at *3 (N.D. Tex. Apr. 23, 2009) (Boyle, J.). Although Defendants’ Motion does not trigger Federal Rule of Civil Procedure 62(c), the Court finds that the factors for consideration under Rule 62(c) are instructive. Those factors are: (1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether the issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies. *Id.* at *2.

Here, Defendants argue that the grant of a stay will not unduly prejudice Plaintiffs because Plaintiffs never sought preliminary injunctive relief in this case. Defs.’ Mot. Stay 1, ECF No. 42. Defendants offer no other reasons for the Court to grant their motion. A stay is an extraordinary remedy which should be issued sparingly. *See Bray*, 2008 WL 1820594 at *3. Accordingly, the Court finds that a stay is not warranted in the instant action. Should Defendants decide to appeal, they may move this Court to stay its Order pursuant to Rule 62(c) of the Federal Rules of Civil Procedure.

Based on the foregoing, it is **ORDERED** that Defendants’ Motion for Sixty-Day Stay (ECF No. 42) is **DENIED**.

SO ORDERED on this **26th day of February, 2015**.


Reed O’Connor
UNITED STATES DISTRICT JUDGE