

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2013-004301

08/15/2014

HONORABLE MARK H. BRAIN

CLERK OF THE COURT  
T. Springston  
Deputy

SUZANNE SALLUS

JAMES ROBERT ECKLEY

v.

SUNRISE DESERT VISTAS P O A

GUY W BLUFF

**UNDER ADVISEMENT RULING**

On July 29, 2014, the court heard argument on Defendant's Motion to Stay Proceedings During Appeal (filed June 30, 2014). Having fully considered the parties' papers and arguments, the Motion is GRANTED. By way of brief explanation, the court notes the following.

Here, the viability of the present case hinges on the outcome of LC2013-000042 (currently on appeal). The court has broad discretion to manage its docket in such circumstances. *E.g.*, *Southwest Gas Corp. v. Irwin ex rel. County of Cochise*, 229 Ariz. 198, 203 (App. 2012) (noting a judge's "general discretion over his calendar and docket"); *Filtrol Corp. v. Kelleher*, 467 F.2d 242, 244 (9<sup>th</sup> Cir. 1972) (recognizing that a district court has discretion to stay proceedings pending the outcome of a separate action to "promote economy of time and effort for itself, for counsel, and for litigants"). Moreover, a brief trial may well be necessary to determine whether Plaintiff had received the documents at issue before she filed the lawsuit (which, in turn, would affect her claim for fees). In the circumstances, the court finds that the best use of resources is to allow the appeal to play itself out before resolving this case.