

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Crossroads Residents Organized for Stable and Secure ResidencieS (CROSSRDS), an unincorporated association, and Linda Lee Soderstrom, Maria Johnson, Craig and Donna Goodwin, Jurline Bryant, Claire Jean Lee, Viky Martinez-Melgar, Aurora Saenz, Deborah Suminguit, on behalf of themselves and others similarly situated, and Norma Ziegler, Darlene Fisher, Samuel Graham, Carlos Hines, Kenneth Orr, Bernard Campbell, Lisa Brown, David Moffet, Quaintance Clark, Khadijah Abdul-Malik, Kevin Vaughn, Maria de Lourdes Vargas-Pegueros, Julio Stalin de Tourniel, Rocillo Rodriquez, Sandra Ponce, Kerly Rios, Juan Martinez and Mercedes Melgar, Tamara Ann Bane, Charles Ward, Tressie Neloms, Dorothy Pickett, Sylvia Anderson, Guadalupe Rodriguez Bonilla, Tyrus Johnson, Leticia Barban, Alice Joiner, and Beverly Griffin, and HOME Line, a Minnesota nonprofit corporation,

Plaintiffs,

vs.

MSP Crossroads Apartments LLC, a Minnesota corporation, and Soderberg Apartment Specialists (SAS), a Minnesota corporation,

Defendants.

Civil No. 0:16-cv-00233-ADM-KMM

**ORDER CONCERNING THE
STIPULATION BETWEEN
DEFENDANTS AND CLASS
COUNSEL TO STAY
PROCEEDINGS**

Defendants and Class Counsel have filed a Stipulation to Stay Proceedings, which asks the Court to stay all existing deadlines in this case, with limited exceptions, pending the outcome of settlement negotiations and a settlement conference currently scheduled for April 6, 2017. *See* ECF No. 102. The Court finds good cause to make some, but not all of the modifications to the scheduling order.¹

In particular, the Court has reviewed the remaining deadlines in this case, including the November 1, 2017 deadline for completion of fact discovery, and the February 1, 2018 deadline for submission of dispositive motions. At this time, there is no good cause justifying postponement of these and similar deadlines, which will not pass for many months. If no settlement is reached, as the litigation progresses, if the parties believe that modification of deadlines not adjusted in this Order becomes necessary, the Court will discuss those issues with the parties. Nevertheless, the Court finds good cause for adjustments to two immediate existing deadlines in this case as set forth in the following paragraphs.

¹ In the Stipulation, the parties state that the Court's January 11, 2017 Order "stayed the remaining deadlines in the Pretrial Scheduling Order and ordered the parties to provide the Court with a proposed schedule once the deadline for motions to amend the pleadings had passed and the Court had issued its decision on any such motions." ECF No. 102 ¶ 2. To the extent the parties to the Stipulation believe all deadlines in the Pretrial Scheduling Order were stayed, they misunderstand the Court's January 11, 2017 Order. In the relevant paragraph of that Order, the Court vacated the then-existing deadline for amending pleadings and provided that any motion to amend would be due fourteen days after the District Court's ruling on objections to the January 11, 2017 Order. Jan. 11, 2017 Order ¶ 3, ECF No. 82. Though the Court directed the parties "to provide the Court with a proposed adjusted schedule" once any motion to amend was ruled upon, *id.*, the Court did not explicitly alter any other deadline in the existing Pretrial Scheduling Order.

1. The deadline related to submission of a motion seeking leave to file an amended complaint is temporarily **STAYED**. In addition, the deadline for filing a motion for class certification is temporarily **STAYED**.

a. On or before March 22, 2017, Plaintiffs must submit to Defendants a proposed Amended Complaint. The scope of the amendments to be reflected in this proposed Amended Complaint will be limited to a net reduction in the number of individuals or organizations named as Plaintiffs in this action, as well as clarifying the Plaintiffs serving as putative class representatives.

b. If the proposed Amended Complaint is acceptable to Defendants, the parties to the Stipulation must submit a Stipulation to Amend Plaintiffs' Complaint and a proposed Order relating to the Stipulation to the Court on or before March 24, 2017.

2. If no settlement is reached at the April 6, 2017 settlement conference, the Parties must meet and confer by April 13, 2017 to discuss the appropriate timeframe for submission of any motion to further amend the pleadings and any motion seeking class certification. On or before April 20, 2017, the Parties must provide the Court a proposed Amended Pretrial Scheduling Order, which will include a new deadline for the parties to file motions to amend the pleadings and for submission of a motion for class certification.

IT IS SO ORDERED.

Dated: March 22, 2017

Katherine Menendez
Katherine Menendez
United States Magistrate Judge