DANIEL F. LIPPMANN, ESQ.
Nevada Bar No. 11636
Lipp Law LLC
2580 Sorrel Street
Las Vegas, Nevada 89146
Telephone – (702) 745-4700
Counsel for Petitioners

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Miguel Angel MALDONADO VAZQUEZ, on behalf of himself as an individual and on behalf of others similarly situated,
Petitioners,

v.

Thomas E. FEELEY, et al.,
Respondents.

Case No. 25-cv-1542

PETITIONERS' MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF CLASS CERTIFICATION IN *BAUTISTA v. NOEM*

I. Introduction

Petitioners respectfully move this Court to stay further proceedings in this matter, other than enforcement of the Court's Preliminary Injunction, pending the outcome of *Bautista v. Noem*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.).

On September 9, 2025, this Court ordered the parties to meet and confer and to submit a proposed scheduling order regarding discovery and expedited class certification briefing by September 12, 2025. While Petitioners stand ready to comply, coordination with the ACLU of Nevada (present at the Sept. 9 hearing) and with ACLU National has clarified that *Bautista v.*

Noem will address materially identical issues, with a class certification hearing set for October 17, 2025, before Judge Sunshine S. Sykes in the Central District of California.

In light of that imminent ruling, Petitioners submit that a temporary stay will conserve judicial resources, avoid duplicative or conflicting class rulings, and protect the orderly course of justice.

II. Legal Standard

District courts have broad discretion to stay proceedings. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). Courts weigh: (1) potential prejudice from a stay; (2) hardship or inequity absent a stay; and (3) the interests of judicial economy. *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005).

III. Argument

1. Judicial Economy Strongly Favors a Stay

The issues before this Court, namely, the constitutionality of DHS's use of EOIR-43 automatic stays and the scope of detention authority under §§ 235/236, are also central in *Bautista*. The outcome there will directly inform, and may even resolve, overlapping questions here. Proceeding with expedited discovery and class certification briefing now risks duplicative effort and conflicting rulings.

2. No Prejudice to Petitioners or the Public

Petitioners remain protected by this Court's Preliminary Injunction, which ordered same-day release. A short stay will not prejudice Petitioners and indeed will prevent unnecessary expenditure of resources on parallel class litigation.

3. A Defined and Limited Duration

The class certification hearing in *Bautista* is set for October 17, 2025, only weeks away. Petitioners propose a stay of proceedings until the ruling in *Bautista*, with the parties ordered to file a status report within seven (7) days of that ruling.

IV. Alternative Relief

In the alternative, should the Court decline to grant a stay, Petitioners respectfully request that this matter be held in abeyance or administratively closed, with leave to reopen should *Bautista* not resolve the overlapping issues. This narrower alternative would achieve the same efficiency and consistency without requiring dismissal or duplicative litigation.

V. Conclusion

For these reasons, Petitioners respectfully request that this Court:

1. Stay all further proceedings (except enforcement of the existing Preliminary Injunction) pending resolution of class certification in *Bautista v. Noem*, No. 5:25-cv-01873-SSS-BFM (C.D. Cal.); or, in the alternative,
2. Hold this matter in abeyance or administratively close it, with leave to reopen should *Bautista* not resolve the issues.
3. Order the parties to file a status report within seven (7) days of the ruling in *Bautista*.

Respectfully submitted this 10th day of September, 2025.

/s/Daniel F. Lippmann
DANIEL F. LIPPMANN, ESQ.
LIPP LAW LLC
2580 Sorrel St.
Las Vegas, Nevada 89146
Tel: (702) 745-4700
Counsel for Petitioners