

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

M.R.Z. v. Commissioner of Social Security

No. 3:25-cv-02757-LJC (N.D. Cal. Oct. 22, 2025) · No. 3:25-cv-02757-LJC · Decided October 22, 2025

OPINION

Ruskofsky-Zuccato

PER CURIAM.

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7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9) CASE NO. 3:25-cv-02757-LJC

10 M.R.Z.,)

) 11 Plaintiff,)

12 v.)) MOTION TO STAY PROCEEDINGS; ORDER

)

13 COMMISSIONER OF SOCIAL SECURITY)

) 14 Defendant.)) 15 _____) 16 17 18 19 Plaintiff hereby

moves for a stay of pending deadlines in the above-captioned case. 20 21 1. United States
Department of Justice attorneys who handle Social Security litigation 22 are currently out of the
office due to a lapse in federal government appropriations. 23 2. Absent an appropriation,
Department of Justice attorneys are prohibited from 24 working, even on a voluntary basis, except
in very limited circumstances, including “emergencies 25 involving the safety of human life or the
protection of property.” 31 U.S.C. § 1342. 26 3. Although we have stipulated to a remand, we
have not yet negotiated EAJA fees. 27 Undersigned counsel for Plaintiff, therefore, requests a stay
of all pending deadlines related to 28 EAJA fees until Congress has restored appropriations to the
Department of Justice. 1 4. If this motion for a stay is granted, Plaintiff requests that, at that point,
all current 2 || deadlines be extended commensurate with the duration of the lapse in
appropriations. 3 5. A district court “has broad discretion to stay proceedings as an incident to its
power 4 control its own docket.” Clinton v. Jones, 520 U.S. 681, 706 (1997), citing Landis v.
North 5 || America Co., 299 U.S. 248, 254 (1936). A stay is discretionary and the “party requesting
a stay 6 || bears the burden of showing that the circumstances justify an exercise of that

discretion.” *Nken v. Holder*, 556 U.S. 418, 433-34 (2009). “Generally, stays should not be indefinite in nature.” 8 *Dependable Highway Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066-67 (9th Cir. 2007). 9 Instead, district courts should “balance the length of any stay against the strength of the 10 justification given for it.” *Young v. N.S.*, 208 F.3d 1116, 1119 (9th Cir. 2000) (discussing that if 11 stay is especially long or its term is indefinite, a greater showing is required to justify it). 12 6. Here, a stay of proceedings is warranted in this matter because the government 13 essentially cannot participate in the litigation of the case until funding is restored. 14

15 ORDER

16 Good cause being shown, IT IS HEREBY ORDERED that Plaintiff’s motion to stay is 17 GRANTED. This matter is STAYED until Congress has restored appropriations to the Department 18 of Justice or Congress enacts a continuing resolution. 19 Within three (3) days of the restoration of appropriations or enactment of a continuing 20 resolution, Defendant shall file a notice thereof with the Court. At that time, the Court will set a 21 status conference to discuss whether modification to the scheduling order will be necessary. 22 23 IT IS SO ORDERED. “4 Dated: October 22, 2025 □

UN Aj . LISA J. CISNEROS

D STATES DISTRICT COURT JUDGE

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MOTION TO STAY PROCEEDINGS 3:25-ev-02757-LIC