

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Ivan Daniel Mendoza Paredas v. Garda CL West, Inc.

Paredas · No. 1:25-cv-00781-EPG · Decided December 23, 2025

OPINION

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8
9 IVAN DANIEL MENDOZA PAREDas, Case No. 1:25-cv-00781-EPG on behalf of himself
and all others similarly 10 situated, ORDER GRANTING DEFENDANT’S MOTION TO STAY
AND REQUESTS FOR 11 Plaintiffs, JUDICIAL NOTICE 12 v. (ECF Nos. 21, 22, 25) 13
GARDA CL WEST, INC., ORDER VACATING SCHEDULING CONFERENCE SET FOR
JANUARY 12, 14 Defendant.

2026 15 (ECF No. 20) 16 ORDER DIRECTING CLERK OF COURT TO CHANGE CASE
CAPTION 17 18 I. INTRODUCTION 19 This matter is before the Court on the motion of
Defendant Garda CL West, Inc. to stay 20 this case until related state court proceedings conclude.
(ECF No. 21). Defendant also asks the 21 Court to take judicial notice of certain state court
documents. (ECF Nos. 22, 25).

22 Upon review of the parties’ briefing and the applicable law, the Court will grant Defendant’s
motion to stay as described below and will grant Defendant’s requests for judicial 23 notice.¹ 24
II. BACKGROUND 25 Defendant removed this action from the Fresno Superior Court on June
27, 2025. (ECF 26 No. 1). Plaintiff’s complaint alleges individual and putative class and collective
action claims for 27 28 1 The parties have consented to the undersigned handling all matters in
this case.

(ECF No. 12). 1 violations of the Fair Labor Standards Act (FLSA) and violations of California
wage and hour 2 laws. (ECF No. 1-1, p. 3). 3 The Court held a scheduling conference on October
6, 2024. During that conference, the 4 parties discussed their positions regarding whether this case
should be stayed in light of a pending class settlement in the Los Angeles Superior Court case,
Ernest Murcia v. Garda CL West, Inc., 5 No. 24STCV19275 (Murcia).

(ECF No. 18). Ultimately, the Court declined to open discovery 6 and set a deadline for Defendant
to file a motion to stay. (Id.). 7 On October 24, 2025, Defendant filed a motion to stay,
accompanied by a request for 8 judicial notice of related state court filings, arguing that the
overlapping class action in Murcia, if 9 approved following a final approval hearing on February
5, 2025, “will preclude all of Plaintiff’s 10 individual, class and collective claims from proceeding
further.” (ECF No. 21-1, p. 5; ECF No. 11 22).

In support, Defendant cites to Plaintiff's motion to intervene in that case: 12 On July 19, 2025, the parties in Murcia moved for preliminary approval of their 13 class and PAGA settlement. (RJN Ex. C.) Garda's counsel notified Plaintiff Paredas' counsel of the preliminary approval proceedings in Murcia on July 21, 14 2025, and subsequently sent a copy of the motion for preliminary approval to Plaintiff's counsel.

(RJN Ex. L at ¶ 20.) On August 8, 2025, Plaintiff's counsel 15 moved to intervene and object to preliminary approval. (RJN Ex. I [petition to intervene] & Ex. J [opposition to preliminary approval].) In the petition to 16 intervene, Plaintiff Paredas acknowledged the overlap between the Murcia action 17 and the present action.

First, Plaintiff conceded that "plaintiff Murcia's operative complaint includes the same allegations at issue in [Plaintiff Paredas'] Actions. In 18 short, the issues in the actions are virtually identical." (RJN Ex. I at 13–14.)

Second, Plaintiff Paredas conceded that "[i]f the Court grants final approval of the 19 proposed settlement... [Paredas] will be barred from prosecuting Class [and] 20 Collective... claims on behalf of himself and other Driver-Messengers which arose during the time period covered by the Murcia settlement." (RJN Ex. I at 12.) 21 (ECF No. 21-1, p. 10). 22 Moreover, Defendant argues that Plaintiff cannot pursue claims for anyone outside of 23 Driver-Messengers (like himself), which are at issue in Murcia because (1) "Plaintiff will be 24 unable to maintain a class or collective on behalf of employees who are differently situated than 25 him," and (2) "the non-Driver-Messengers that Plaintiff seeks to represent are bound to arbitrate 26 any dispute against Garda, and so cannot participate in a class or collective action." (Id. at 15, 27 16).

28 Plaintiff filed an opposition to the motion to stay on November 7, 2025. (ECF No. 23). 1 Plaintiff argues that the motion should "be denied because (1) the prejudice to plaintiff and the 2 putative collective is palpable due to, inter alia, the FLSA running statute of limitations; (2) there 3 is no harm to Defendant; and (3) a stay would frustrate the Court's ability to manage its docket 4 and unnecessarily waste time." (Id. at 2).

Plaintiff concedes that that the Murcia settlement, if approved, will dispose of some of Plaintiff's claims, but argues that other claims will not be 5 covered by the Murcia settlement: 6 Here, the majority of Plaintiff's Action would inevitably survive the Murcia 7 Settlement and continue; only California Driver-Messengers who do not opt-out of 8 the Murcia Settlement will be covered by the Murcia settlement, if the Murcia Settlement is approved.

Other nonexempt employees including, without 9 limitations, other hourly paid drivers, armed driver-cash transporters, route production supervisors, and CDL armed driver-cash transporters, are excluded 10 from the Murcia settlement.

As such, the overlap between this Action and the Murcia settlement is only partial, not total. 11 (Id. at 7). 12 On November 17, 2025, Defendant filed its reply, mainly reiterating its arguments in 13 favor of a stay, which reply was accompanied by a request for judicial notice of related state 14 court filings. (ECF Nos. 24, 25). 15 III. ANALYSIS 16 As an initial matter, Defendant requests judicial notice of state court filings.

Plaintiff did 17 not oppose this request. The Court may take judicial notice of court records and will do so here. 18 See *Harris v. County of Orange*, 682 F.3d 1126, 1131-32 (9th Cir. 2012) (noting that a court may 19 take judicial notice of “documents on file in federal or state courts”). 20 “[T]he power to stay proceedings is incidental to the power inherent in every court to 21 control the disposition of the causes on its docket with economy of time and effort for itself, for 22 counsel, and for litigants.” *Landis v. N. Am.*

Co., 299 U.S. 248, 254 (1936). In considering 23 whether to grant a stay, this court must weigh competing interests, including “the possible 24 damage which may result from the granting of a stay, the hardship or inequity which a party may 25 suffer in being required to go forward, and the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, and questions of law which could be expected to 26 result from a stay.” *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir.

1962) (citing *Landis*, 299 27 U.S. at 254-55). A stay may be granted regardless of whether the separate proceedings are 28 1 “judicial, administrative, or arbitral in character, and does not require that the issues in such 2 proceedings are necessarily controlling of the action before the court.” *Leyva v. Certified Grocers 3 of Cal., Ltd.*, 593 F.2d 857, 864 (9th Cir.

1979). “[A] district court’s stay order [is reviewed] for 4 abuse of discretion, but this standard is somewhat less deferential than the abuse of discretion standard used in other contexts.” *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1105 (9th Cir. 2005) 5 (citation and quotation marks omitted). 6 Upon consideration of these standards, the Court will grant Defendant’s motion to stay 7 insofar as it will stay this case until the motion for final approval in Murcia is adjudicated, or May 8 5, 2026, whichever is sooner.

9 Notably, both parties agree that the proposed settlement, if approved, will dispose of some 10 of Plaintiff’s claims, and the Court concludes that such a ruling would substantially narrow the 11 claims in this case.

Moreover, the Court finds it noteworthy that Plaintiff stated to the Murcia 12 court that the issues in this case and Murcia “are virtually identical.” (ECF No. 22-9, p. 15). 13 Although Plaintiff intends to argue that Plaintiff may nevertheless proceed on claims for persons 14 outside the scope of the settlement, including “armed driver-cash transporters,” a stay will allow 15 the Court and parties to focus on a narrower set of issues and claims.

(ECF No. 23, p. 7). 16 Further, given the limited scope of the stay, the Court does not find that Plaintiff will be 17 prejudiced. Although Plaintiff raises statute-of-limitations issues regarding the FLSA claims, as 18 Defendant notes and as other courts have concluded, the limitations period may be equitably 19 tolled. (ECF No. 23, pp. 4-5; ECF No. 24, p. 6); see *Franklin v. Scripps Health*, No. 22-CV-367- 20 MMA (MDD), 2022 WL 4389691, at *6 (S.D.

Cal. Sept. 21, 2022) (“However, any potential 21 damage to the putative collective members’ FLSA claims can be sufficiently negated and thus 22 does not tip the balance of factors against granting a stay. The Ninth Circuit has interpreted the 23 FLSA statute of limitations as a procedural limitation that may be tolled when equity warrants.”). Additionally, having to litigate potentially duplicative claims, which may be resolved 24 soon, would impose a burden on Defendant and the Court, resulting in a needless use of 25 resources.

See *Meints v. Regis Corp.*, No. 09CV2061 WQH (CAB), 2010 WL 625338, at *3 (S.D. 26 Cal. Feb. 16, 2010) (“Allowing Plaintiff to proceed to class discovery in this case when a 27 settlement potentially barring her class action is pending would waste judicial resources and 28 1 | require Defendant to expend significant effort to comply with discovery requests in a case which 2 | is unlikely to result in a class certification.”).

3 IV. CONCLUSION AND ORDER 4 Having concluded that a stay is warranted, IT IS ORDERED as follows: 5 1. Defendant’s motion to stay litigation in this case (ECF No. 21) is granted as specified 6 below. 7 a. This case is stayed until the motion for final approval in Murcia is adjudicated, 8 or May 5, 2026, whichever is sooner. 9 b. The parties shall file a joint status report within 7 days of the Murcia ruling (including a copy of the ruling as an attachment to the joint status report), 8 setting forth their respective positions on how the ruling affects this case.

Or if no ruling is issued by May 5, 2026, they shall file a joint status report by no 2 later than May 12, 2025, with their respective positions on whether the stay 13 should be lifted or extended. 2. Defendant’s requests for judicial notice (ECF Nos. 22, 25) are granted. 15 3.

The parties are directed to meet and confer, and by no later than January 12, 2026, 16 Plaintiff may submit a motion, or stipulation, requesting tolling of the FLSA statute of 17 limitations for Plaintiffs claims. 18 4.

In light of the stay, the scheduling conference set for January 12, 2026, and all 19 accompanying requirements, are vacated. (ECF No. 20). The Court will reset the 20 scheduling conference, if necessary, at a later date. 1 5. Lastly, the Clerk of Court is directed to change the case caption from “Ivan Daniel 2 Mendoza Paredas on behalf of himself and all other similarly situated,” to “Ivan 23 Daniel Mendoza Paredas on behalf of himself and all others similarly situated.” IT IS SO ORDERED.

25 26 | Dated: _December 22, 2025 [Je hey 4 UNITED STATES MAGISTRATE JUDGE 28

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