

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Siddig Bahreldin v. Safety Holdings Incorporated

No. CV-25-02303-PHX-DJH (D. Ariz. Nov. 21, 2025) · No. 2:25-cv-02303 · Decided November 21, 2025

OPINION

Bahreldin

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 9 Siddig Bahreldin, No. CV-25-02303-PHX-DJH 10 Plaintiff, ORDER 11 v. 12 Safety Holdings
Incorporated, 13 Defendant. 14 15 On September 26, 2025, Defendant Safety Holdings
Incorporated (“Defendant”) 16 filed a Motion to Stay Discovery (Doc. 27) pending the resolution
of Defendant’s earlier 17 filed Motion to Dismiss the First Amended Complaint. (See Doc. 20).
Plaintiff Siddig 18 Bahreldin filed a Response (Doc. 32) to Defendant’s Motion to Stay on
October 9, 2025, 19 opposing the requested relief. 20 “The power to stay proceedings is incidental
to the power inherent in every court to 21 control the disposition of the cases on its docket with
economy of time and effort for itself, 22 for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299
U.S. 248, 254 (1936). “Discovery 23 may be stayed when a dispositive motion does not require
discovery, but discovery should 24 not be stayed if it is necessary to decide the dispositive
motion.” *Flynn v. Nevada*, 345 25 F.R.D. 338, 343 (D. Nev. 2024) (citations omitted). A motion to
stay discovery pending 26 resolution of a potentially dispositive motion may be granted for good
cause. See *Body 27 Xchange Sports Club, LLC v. Zurich Am. Ins. Co.*, 2021 WL 2457482, at *2
(E.D. Cal.

28 June 16, 2021) (“Though the Ninth Circuit has not provided a clear standard for evaluating
1 a motion to stay discovery pending resolution of a potentially dispositive motion, it has 2
affirmed that district courts may grant such a motion for good cause.”) (citations omitted). 3 Good
cause exists to stay discovery “when the district court is ‘convinced that the plaintiff 4 will be
unable to state a claim for relief.’” *Flynn*, 345 F.R.D. at 343 (quoting *Wood v. 5 McEwen*, 644
F.2d 797, 801-02 (9th Cir. 1981) (citation omitted). 6 The Ninth Circuit has not set forth a clear
standard for district courts to apply when 7 deciding to stay a case pending the resolution of a
potentially dispositive motion. See 8 *Williams v. Experian Info. Sols. Inc.*, 2024 WL 739676, at *2
(D. Ariz. Feb. 23, 2024). 9 However, “[m]ost federal district courts . . . apply a two-part test under
which it is 10 appropriate to stay discovery [where] (1) the pending motion must be potentially 11
dispositive of the entire case, or at least dispositive on the issue at which discovery is aimed 12
and (2) the pending, potentially dispositive motion can be decided absent additional 13 discovery.

Discovery should proceed if either prong of the test is not met. This test has 14 the Court take a ‘preliminary peek’ at the underlying motion without exhaustively 15 reviewing the merits.” Id. (citing *Ferrell v. AppFolio, Inc.*, 2024 WL 132223, *1 (C.D. 16 Cal. 2024)). “The party seeking the stay bears the burden of proving that it is warranted.” 17 *Aliphcom v. Fitbit, Inc.*, 154 F. Supp. 3d 933, 937 (N.D. Cal. 2015). 18 Here, Defendant argues that a stay is appropriate because (1) it has filed a motion 19 to dismiss which is dispositive to all of Plaintiff’s claim and requires no further discovery, 20 and (2) a brief stay will not prejudice Plaintiffs, but commencing discovery now will 21 unduly prejudice Defendants. (Doc. 27 at 6–9). Plaintiffs argue that a stay is inappropriate 22 here because (1) Defendant’s Motion to Dismiss fails a “preliminary peek”; (2) granting 23 Defendant’s Motion will prejudice Plaintiff; and (3) Defendants have not demonstrated 24 undue burden or irreparable injury. (Doc. 32 at 6–9). Plaintiff, however, does not dispute 25 that the pending Motion to Dismiss can be decided absent additional discovery. 26 Nonetheless, the Court finds that a stay is not proper here. 27 The Court must be convinced that the plaintiff will be unable to state a claim for 28 relief. See *Wood*, 644 F.2d at 801. Plaintiff, in his First Amended Complaint, brings two 1 claims for relief under the Fair Credit Reporting Act–failure to perform a reasonable 2 reinvestigation under 15 U.S.C. § 1681i(a) and violations of 15 U.S.C. § 1681e(b) and 15 3 U.S.C. § 1681i(d). (Doc. 19 at ¶¶ 76–98). Defendant primarily argues that, because its 4 report on Plaintiff was accurate when issued, Plaintiff cannot maintain his FCRA claims. 5 (See Doc. 20 at 9–14). In their briefing, the parties rehash their arguments for and against 6 Defendant’s Motion to Dismiss, but this goes beyond the considerations of a motion to 7 stay. To be sure, the Court will have to assess the actual viability of Plaintiff’s claims and 8 weigh the parties’ legal arguments, when it rules on Defendant’s Motion to Dismiss. 9 However, for now, Plaintiff has plead that Defendant is a “consumer reporting agency,” 10 and he is a “consumer,” under 15 U.S.C. § 1681a. (Doc. 19 at ¶¶ 77–78). Plaintiff has 11 alleged that he disputed the accuracy of Defendant’s reporting about his license suspension, 12 but Defendants failed to conduct a reinvestigation in violation of § 1681i(a). (Id. at ¶¶ 82– 13 84). As a result of this violation Plaintiff claims to have suffered damages, such as loss 14 employment opportunity and wages. (Id. at ¶¶ 85). 15 Taking a “preliminary peek” at Defendants’ Motion and Plaintiffs’ First Amended 16 Complaint without exhaustively reviewing the merits, the Court finds that, at the very least, 17 Plaintiffs have likely plead a plausible claim for violations of § 1681i. The Court, finally, 18 notes that indefinite stays are disfavored and commencing discovery on Plaintiff’s narrow 19 claims should not cause either party undue hardship. See *PharmacyChecker.com LLC v. 20 LegitScript LLC*, 2022 WL 17496113, *2 (D. Or. 2022) (“Proceeding with discovery is a 21 normal process of litigation, not an undue hardship.”). 22 Accordingly, 23 IT IS ORDERED that Defendant’s Motion to Stay Discovery (Doc. 27) is 24 DENIED. 25 / / / 26 / / / 27 / / / 28 / / / 1 IT IS FURTHER ORDERED that Defendant’s first Motion to Dismiss (Doc. 15) is MOOT due to Plaintiffs filing of his First Amended Complaint. The Court will rule on || Defendant’s Motion to Dismiss the First Amended Complaint (Doc. 20)

by separate Order. 4 Dated this 21st day of November, 2025. 6 norable'Diang/4. Huretewa 7
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