Miller v. CenturyLink, Inc. et al

2017 | Cited 0 times | D. Minnesota | October 3, 2017

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN SUSAN MILLER, individually and as a representative of a class of similarly situated persons, Plaintiff, ORDER v. 17-cv-648-wmc CENTURYLINK, INC., CENTURYLINK COMMUNICATIONS, LLC, CENTURYLINK PUBLIC COMMUNICATIONS, INC., CENTURYLINK SALES SOLUTIONS, INC., QWEST CORPORAITON and CENTURYTEL OF WISCONSIN, LLC, Defendants.

pending ruling of the judicial panel on multidistrict litigation. (Dkt. #17.) In their brief, defendants explain that this is one of thirteen other consumer fraud putative class actions pending in federal district courts against CenturyLink and other related defendants. On July 31, 2017, CenturyLink filed a motion to consolidate these actions in a multidistrict litigation. Defendants further represent that the Judicial Panel on Multidistrict Litigation will hear this petition on September 28 and typically rules on the petition within two week of the hearing. This case was recently filed, with the answer not due until October 16, 2017, roughly corresponding with the anticipated decision date by the Panel. As such, there really is little to stay.

In her response, plaintiff opposes the stay, but largely because she also opposes . (dkt. #19) 2.) Of course, this larger issue is not before this court. Plaintiff also argues persuasively that there is little need for a stay here given the answer deadline and the fact that the court has yet to hold a preliminary pretrial conference.

complaint here may be impacted by a decision granting the motion to transfer and

consolidate these actions in a multidistrict litigation. Moreover, the court is hard-pressed to see how plaintiff would be prejudiced by a very short stay. motion is GRANTED IN PART as follows: the court will amend the deadline for

decision on the motion (but no earlier than October 16, 2017). The preliminary pretrial conference will not be set until after defendants answer or otherwise respond to the amended complaint.

Entered this 3rd day of October, 2017.

BY THE COURT: /s/ _____ WILLIAM M. CONLEY District Judge