

**Jens Schmidt, OSB #843417**  
**jens.schmidt@harrang.com**  
**Andrea D. Coit, OSB #002640**  
**andrea.coit@harrang.com**  
HARRANG LONG GARY RUDNICK P.C.  
360 East 10th Avenue, Suite 300  
Eugene, OR 97401-3273  
Telephone: 541.485.0220  
Facsimile: 541.686.6564  
Attorneys for Defendants

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

**JAMES M. CLEAVENGER,**

Case No. 6:13-cv-01908-TC

Plaintiff,

**DEFENDANTS' UNOPPOSED  
MOTION TO STAY ALL PENDING  
DEADLINES FOR A PERIOD OF  
THIRTY (30) DAYS**

vs.

**UNIVERSITY OF OREGON (an Agency and  
Instrumentality of the State of Oregon), et al.,**

Defendants.

---

**L.R. 7.1 CERTIFICATION**

The parties have conferred on the contents of this motion. Plaintiff does not oppose this motion.

**I. MOTION**

Defendants appear herein for the limited purpose of moving the court for an order temporarily staying all pending deadlines in this matter for a period of thirty (30) days. The

Page 1 – **DEFENDANTS' UNOPPOSED MOTION TO STAY ALL PENDING DEADLINES  
FOR A PERIOD OF THIRTY (30) DAYS FOR A PERIOD OF THIRTY (30) DAYS**

parties are actively negotiating a settlement of the claims alleged herein. A stay of the current deadlines, including the deadline for the Defendants to file a responsive pleading, while settlement is explored will serve the interests of justice and judicial economies.

This motion is supported by the pleadings filed herein, the following Memorandum in Support of Unopposed Motion, and the Declaration of Andrea Coit, filed separately.

## **II. MEMORANDUM IN SUPPORT OF MOTION FOR TEMPORARY STAY**

Plaintiff filed his First Amended Complaint on November 12, 2013. See Dkt #9. Many of the issues involved in this lawsuit were the subject of an arbitration between Plaintiff's Union, SEIU, and his former employer, Defendant University of Oregon. Declaration of Andrea Coit (Coit Dec.) ¶ 2. The arbitrator issued his decision on February 24, 2014. Coit Dec. ¶ 3. The parties are currently exploring the possibility of reaching a global settlement of the arbitration award and the claims asserted in this lawsuit. Coit Dec. ¶ 4.

Plaintiff has recently attempted service and/or served some of the Defendants with the First Amended Complaint. Coit Dec. ¶ 5. The deadline for the served Defendants to file a responsive pleading has not yet expired. *Id.* The served Defendants' responsive pleadings will be in the form of Fed.R.Civ.P. 12(B) motions including, for one or more Defendants, a motion to quash service. Coit Dec. ¶ 6. Staying the current deadlines for a period of thirty (30) days, including the deadlines for a first appearance, will allow the parties to avoid these filings if a settlement can be reached in that time.

This Motion is not made for purposes of delay. Coit Dec. ¶ 7.

## **III. CONCLUSION**

For the foregoing reasons, Defendants request an Order staying all current deadlines,

////

////

including the deadlines for the various Defendants to file responsive pleadings, for a period of thirty (30) days.

DATED this 18th day of March, 2014.

HARRANG LONG GARY RUDNICK P.C.

By: s/ Andrea D. Coit  
Jens Schmidt, OSB #843417  
jens.schmidt@harrang.com  
Andrea D. Coit, OSB #002640  
andrea.coit@harrang.com  
Telephone: 541.485.0220  
Facsimile: 541.686.6564  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I certify that on March 18, 2014, I served or caused to be served a true and complete copy of the foregoing **DEFENDANTS' UNOPPOSED MOTION TO STAY ALL PENDING DEADLINES FOR A PERIOD OF THIRTY (30) DAYS** on the party or parties listed below as follows:

- Via CM / ECF Filing
- Via First Class Mail, Postage Prepaid
- Via Email
- Via Personal Delivery

James M. Cleavenger  
405 E. 8th Avenue #5700  
Eugene, OR 97401  
Plaintiff Pro Se

HARRANG LONG GARY RUDNICK P.C.

By: s/ Andrea D. Coit  
Jens Schmidt, OSB #843417  
jens.schmidt@harrang.com  
Andrea D. Coit, OSB #002640  
andrea.coit@harrang.com  
Telephone: 541.485.0220  
Facsimile: 541.686.6564  
Attorneys for Defendants

00581837.V1

**CERTIFICATE OF SERVICE**