UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No.	2:21-cv-07492-VAP-JDEx	Date	March 29, 2023
Title	*Consumer Financial Protection Bureau v. Daniel A. Rosen, Inc. et al*		

Present: The Honorable VIRGINIA A. PHILLIPS, SENIOR UNITED STATES DISTRICT JUDGE

WENDY HERNANDEZ	Not Reported
Deputy Clerk	Court Reporter

Attorney(s) Present for Plaintiff(s):	Attorney(s) Present for Defendant(s):
None Present	None Present

Proceedings: MINUTE ORDER CONTINUING STAY (IN CHAMBERS)

On February 13, 2023, the Court continued the stay in this case pending the Supreme Court's consideration of *Consumer Fin. Prot. Bureau v. Cmty. Fin. Servs. Ass'n of Am.*, No. 22-448 (petition for a writ of certiorari) ("*CFSA*"). (Doc. No. 127.) The Court noted that if the Supreme Court granted the petition, it could issue a dispositive decision within four to five months. (*Id.*)

Plaintiff now asks the Court to lift the stay because, although the Supreme Court has since granted the *CFSA* petition, it has not set the case for argument this term and therefore may not issue a decision until June 2024. (Doc. No. 128 at 1-5.) Plaintiff also notes that the Second Circuit has since issued an opinion declining to follow the Fifth Circuit's ruling in *CFSA*. (Doc. No. 129.)

The intervening Second Circuit case, and the resulting circuit split, highlights wisdom of waiting for the Supreme Court's decision so that the Court can adjudicate the issues before it with greater certainty. The Court continues to find that a delay in this case, although longer than originally anticipated, is outweighed by the "risk of unnecessary proceedings and expenses." *Ramirez v. Trans Union, LLC*, No. 12-CV-00632-JSC, 2015 WL 6159942, at *2 (N.D. Cal.

June 22, 2015). The Court therefore continues the present stay until the Supreme Court issues its decision in *CFSA*.

IT IS SO ORDERED.