

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL SALAZAR, Individually and on behalf of  
all other similarly situated,

Plaintiff,

-against-

NATIONAL BASKETBALL ASSOCIATION,  
Defendant.

22-cv-07935 (JLR)

**ORDER**

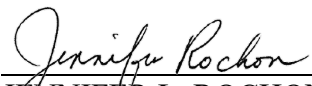
JENNIFER L. ROCHON, United States District Judge:

For the reasons stated during the December 21, 2022 conference and below, the Motion to Stay Discovery is GRANTED. *See* ECF No. 23. The Court considers “multiple factors, including the breadth of discovery sought, the burden of responding to it, the prejudice that would result to the party opposing the stay, and the strength of the pending motion forming the basis of the request for stay.” *Republic of Turkey v. Christie’s, Inc.*, 316 F. Supp. 3d 675, 677 (S.D.N.Y. 2018) (internal citations and quotations omitted). While “discovery should not be routinely stayed simply on the basis that a motion to dismiss has been filed,” the Court finds that good cause has been shown. *Hong Leong Fin. Ltd. (Singapore) v. Pinnacle Performance Ltd.*, 297 F.R.D. 69, 72 (S.D.N.Y. 2013).

Specifically, the stay is not likely to be of significant duration based on the current briefing schedule for the motion to dismiss. The breadth of discovery is likely to be significant in this proposed class action, including discovery from third parties. Plaintiff has not articulated prejudice from the delay, other than his desire to proceed promptly with discovery. Defendant’s motion to dismiss also raises substantial issues that may result in dismissal of the entire complaint, including whether the Court has subject matter jurisdiction in light of *TransUnion LLC v. Ramirez*, 141 S. Ct. 2190, 2203-07 (2021) and whether Plaintiff consented to Defendant’s conduct. Therefore, discovery is STAYED pending the decision on the motion to dismiss.

Dated: December 22, 2022  
New York, New York

SO ORDERED.

  
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JENNIFER L. ROCHON  
United States District Judge