

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,	:	CIVIL ACTION
	:	
Plaintiff,	:	3:12-CV-30051-MAP
	:	
v.	:	JUDGE MICHAEL A. PONSOR
	:	
SCOTT LIVELY, individually and as	:	
president of Abiding Truth Ministries,	:	
	:	
Defendant.	:	

DEFENDANT SCOTT LIVELY’S MOTION TO STAY PROCEEDINGS
PENDING ADJUDICATION OF HIS PETITION FOR A WRIT OF
MANDAMUS TO THE FIRST CIRCUIT COURT OF APPEALS
AND
REQUEST FOR EXPEDITED CONSIDERATION

Pursuant to Fed. R. App. P. 8(a)(1) and this Court’s inherent power to manage and control its litigation docket, Defendant Scott Lively, individually and as president of Abiding Truth Ministries (collectively, “Lively”), respectfully moves the Court to stay this action pending adjudication of his Petition for Writ of Mandamus (“Petition”) by the First Circuit Court of Appeals. In support hereof, Lively shows the Court as follows:

1. Lively filed the Petition on December 5, 2013, requesting that the First Circuit issue a writ of mandamus directing this Court to vacate its Order Denying Lively’s Motion to Dismiss, and to dismiss this action for lack of jurisdiction and/or failure to state a claim. A copy of the Petition is attached as Exhibit A.¹ The Petition was served on December 5, 2013 via Federal Express overnight delivery to Plaintiff and this Court’s chambers. (Ex. A at 31).

¹ The voluminous exhibits to the Petition are not included herein, but were served with the Petition upon all parties and are available on this Court’s docket.

*DENIED. Disagreement with a court's ruling, however sincere, is not a plausible basis for a mandamus petition. Moreover, the harm alleged is no greater than the usual burden on a party to a complex lawsuit. So ordered.
Michael A. Ponsor USDT 12.10.13*