

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FLORIDA GROWERS
ASSOCIATION, INC., *et al.*,

Plaintiffs,

v.

Case No: 8:23-cv-889-CEH-CPT

JULIE A SU, in her official
capacity, *et al.*,

Defendants.

_____ /

ORDER

This matter is before the Court on Defendants’ Renewed Motion to Stay Proceedings for 90 Days (Doc. 107), which Plaintiffs oppose in part (Doc. 108).

On February 21, 2025, the Court stayed this Administrative Procedures Act action for 60 days on Defendants’ request, due to the change in presidential administrations. Doc. 105. Defendants had sought a stay of 90 days, while Plaintiffs opposed a stay longer than 30 days. Docs. 102, 104. The Court had previously granted Defendants’ request for a 30-day continuance of the hearing on the parties’ cross-motions for summary judgment, which was originally scheduled for January 24, 2025. *See* Docs. 98, 99, 100.

Defendants now seek an additional 90-day stay. Doc. 107. They explain that “the new administration requires further time to review the litigation and the challenged rulemaking,” and note that “multiple appointed positions at [the Department of Labor] have yet to be confirmed[.]” *Id.* at 2. Plaintiffs again oppose a

stay longer than 30 days, asserting that they are suffering ongoing harm from the rule that they are challenging in this action. Doc. 108.

These proceedings have now been continued or stayed for more than four months. Defendants' latest motion fails to demonstrate that an additional stay is appropriate at this time, particularly in light of Plaintiffs' allegations of ongoing harm. Accordingly, Defendants' renewed motion to stay is due to be denied. The hearing on the cross-motions for summary judgment will be rescheduled by separate order.

Accordingly, it is **ORDERED**:

1. Defendants' Motion to Stay Proceedings for 90 Days (Doc. 107) is DENIED.
2. The Clerk is directed to lift the stay of this action and reopen this case.

DONE AND ORDERED at Tampa, Florida on May 29, 2025.


Charlene Edwards Honeywell
United States District Judge

Copies to:
Counsel of Record