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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Ryan Six,

10 Plaintiff,

11 v.

12 IQ Data International Incorporated,

13 Defendant.
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No. CV-22-00203-PHX-MTL

ORDER

15 The Court has reviewed Defendant's Rule 11 Motion for Sanctions. (Doc. 32.)
16 Defendant maintains that Plaintiff and his counsel should be sanctioned because, it argues,
17 Plaintiff lacks Article III standing to bring this action.

18 The Court will deny the Motion. Defendant's arguments are more appropriately
19 presented in a dispositive motion. Indeed, Defendant could have asserted its standing
20 argument in a motion to dismiss. It chose not to, and now, the time for filing such a motion
21 has passed. Based on this record, which includes briefing on the instant Motion, the
22 Complaint, the Rule 26(f) report, and the parties' statements at the Rule 16 conference, the
23 Court rejects Defendant's assertion that sanctionable conduct has occurred.

24 Plaintiff also asks the Court to grant his Motion to Stay pending resolution of (1)
25 the Rule 11 Motion for Sanctions (Doc. 32), which is now denied, and (2) the Motion for
26 Judgment on the Pleadings (Doc. 29). (Doc. 41.) The Court will not stay this action while
27 it considers the Motion for Judgment on the Pleadings. Pursuant to the Federal Rules of
28 Civil Procedure, the Court and the parties are "to secure the just, speedy, and inexpensive

1 determination of every action and proceeding.” Fed. R. Civ. P. 1.

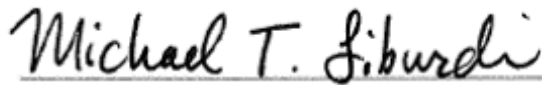
2 Accordingly,

3 **IT IS ORDERED** denying Defendant’s Rule 11 Motion for Sanctions. (Doc. 32.)

4 Although oral argument has been requested, the Court finds that the motion is appropriate
5 for disposition on the briefs. Oral argument would not have aided determination of the
6 issue presented.

7 **IT IS FURTHER ORDERED** denying the Motion to Stay Proceedings. (Doc. 41.)

8 Dated this 18th day of August, 2022.

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11 Michael T. Liburdi
12 United States District Judge
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