

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

C.K.-W., et al.,)	
)	
Plaintiffs,)	
)	Case No. 4:22-cv-00191-MTS
v.)	
)	
WENTZVILLE R-IV SCHOOL)	
DISTRICT,)	
)	
Defendant.)	

MOTION TO STAY

Defendant Wentzville R-IV School District (the "District"), by and through its counsel of record, states the following for its Motion to Stay:

1. "[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).

2. Plaintiffs filed their initial Complaint on February 15, 2022.

3. Plaintiffs subsequently filed an Amended Complaint (the "Complaint") (Doc. 6) on February 25, 2022, seeking injunctive and declaratory relief and inaccurately alleging that the District "banned" eight books (collectively, the "Subject Books") from its libraries pursuant to policy:

- a. *The Bluest Eye*, by Toni Morrison;
- b. *Fun Home: A Family Tragicomic*, by Alison Bechdel;
- c. *All Boys Aren't Blue*, by George M. Johnson;
- d. *Heavy: An American Memoir*, by Kiese Laymon;

- e. *Lawn Boy*, by Jonathan Evison;
- f. *Gabi, A Girl in Pieces*, by Isabel Quintero;
- g. *Modern Romance: An Investigation*, by Aziz Ansari; and
- h. *Invisible Girl: A Novel* by Lisa Jewell.

4. However, as more fully set forth in the District's contemporaneously filed Memorandum in Support, a number of the Complaint's fact allegations were either inaccurate when initially made or no longer accurate.

5. Access to four of the Subject Books has already been restored, rendering Plaintiffs' claims with respect to these books moot.

6. The remaining four books are currently in committee review. The District anticipates completion of review and a vote by its Board of Education (the "Board") on these books by May 19, 2022, or June 19, 2022 at the latest.

7. As the Board has not yet decided to retain or not retain these books, a stay pending its final decision is appropriate as it would be likely to ultimately simplify the issues before the Court and narrow the scope of discovery, conserving the resources of the Court and the parties.

8. Plaintiffs will not be unduly prejudiced nor suffer a clear tactical disadvantage as a result of such a stay.

9. As of the filing of this Motion, the parties have not initiated discovery, and no date has been set for trial.

WHEREFORE Defendant Wentzville R-IV School District respectfully requests the Court enter its Order staying all proceedings in this matter pending committee review and Board vote on the retention of *Fun Home: A Family Tragicomic*, *All Boys Aren't Blue*, *Heavy: An American Memoir* and *Lawn Boy*; and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

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