

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

PAUL GOLDMAN,
Plaintiff,

v.

Civil No. 3:21-cv-420 (DJN)

ROBERT BRINK, *et al.*,
Defendants.

ORDER
(Staying Case)

This matter comes before the Court on Defendants' Notice of Interlocutory Appeal (ECF No. 47), moving to appeal the Court's October 12, 2021 Order granting in part and denying in part Defendants' Motion to Dismiss the Second Amended Complaint on sovereign immunity grounds (ECF No. 41). A denial of sovereign immunity provides grounds for an immediate interlocutory appeal under the collateral order doctrine. *S.C. Wildlife Fed'n v. Limehouse*, 549 F.3d 324, 327 n.1 (4th Cir. 2008). Because sovereign immunity furnishes "both a defense to liability and a limited entitlement not to stand trial or face the other burdens of litigation," the Court hereby STAYS this case until further order of the Court, including all motions to intervene. *See White v. Chapman*, 2015 WL 13021744, at *2 (E.D. Va. Apr. 29, 2015) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 672 (2009)) (staying case to allow the Fourth Circuit to decide whether sovereign immunity shielded defendant).

Let the Clerk file a copy of this Order electronically and notify all counsel of record and the *pro se* parties, to include Plaintiff Paul Goldman and Prospective Intervenor Jeffrey Thomas, Jr.

It is so ORDERED.

_____/s/_____
David J. Novak
United States District Judge
On behalf of the three-judge panel with the
agreement of United States Circuit Judge
Stephanie D. Thacker and United States District
Judge Raymond A. Jackson

Richmond, Virginia
Dated: October 20, 2021