

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

**RUDY MICIAN, et al,**

**Plaintiffs,**

v.

**CIVIL ACTION NO. 2:17cv548**

**DAVID CATANZARO, et al.,**

**Defendant.**

**ORDER**

On April 9, 2021, David Catanzaro, Chris Catanzaro, HookCam, LLC, and Kuulei Holdings, Inc. (collectively, the “Defendants”) submitted a status report regarding related litigation currently being pursued in the First Circuit, State of Hawaii (the “Hawaii Court”). See ECF No. 65. The Court ordered the status report on April 2, 2021, as it was concerned with the prospect of duplicative litigation both before this Court and the Hawaii Court. In the status report, Defendant reported that Rudy Mician (the “Plaintiff”) filed a motion in the Hawaii Court to enforce certain settlement terms agreed to by both parties (the “Settlement”). The existence and enforceability of this Settlement is the subject of the litigation currently before this Court. See ECF Nos. 58, 60. In the Hawaii case, No. 16-1-1507-08, the Hawaii Court declined to enforce the Settlement without prejudice pursuant to Hawaii contract law. ECF No. 65 at 3. As a threshold to other issues being tried before the Hawaii Court, the Hawaii Court is expected to decide the issue of enforceability of the Settlement. Id. Trial before the Hawaii Court is not scheduled until April 11, 2022. Id. at 5. However, the settlement enforcement matter before this Court is scheduled for trial on June 1, 2021.

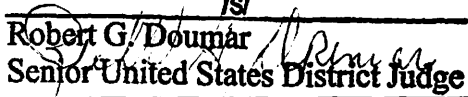
The June 1, 2021 trial date creates a conflict with other scheduled trials in this courthouse, mentioned below, including criminal trials that take precedence:

- United States, v. Hadjikakos, No. 2:20-cr-86 (scheduled to begin June 1, 2021)
- United States v. Johnson, No. 2:20-cr-103 (scheduled to begin June 1, 2021)
- United States v. Dorpe, No. 2:19-cr-53 (scheduled to begin June 2, 2021)
- United States v. Moore, No. 4:21-cr-9 (scheduled to begin June 2, 2021)

As such, keeping the June 1 trial date would require continuing this trial until a later date. However, considering the status of the related Hawaii litigation, the fact that Plaintiff chose the Hawaii Court first to enforce the Settlement, and principles of judicial efficiency, a stay of proceedings in this case is appropriate until the Hawaii Court can issue its ruling on the matter.

Accordingly, the Court **STAYS** proceedings in this case until the Hawaii Court can issue its ruling regarding the existence and enforceability of the Settlement. However, the Court reserves the right to have hearings and issue rulings on the subject of sanctions, as the Court is concerned the parties misrepresented the nature of the Settlement to the Court in its January 22, 2019 Notice of Settlement. ECF No. 58.

**IT IS SO ORDERED.**

*/s/*  
  
Robert G. Doumar  
Senior United States District Judge  
UNITED STATES DISTRICT JUDGE

Norfolk, VA  
April 26, 2021