

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

MANUEL TIJERINO

CIVIL ACTION

VERSUS

NO. 24-2290

SPOTIFY USA INC.

SECTION “B”(2)

ORDER AND REASONS

Before the Court are defendant Spotify USA Inc.’s motion to deny plaintiff’s motion for summary judgment without prejudice, or, in the alternative, to stay briefing of the motion pending resolution of Spotify’s motion to dismiss (Rec. Doc. 67); defendant’s *ex parte* motion for expedited consideration of same (Rec. Doc. 68); and plaintiff Manuel Tijerino’s motion for summary judgment (Rec. Doc. 64). Additionally, both parties have other motions pending before this Court. Rec. Docs. 13, 29, 33, and 39.

IT IS HEREBY ORDERED that the plaintiff’s motion for summary judgment (Rec. Doc. 64) is **DISMISSED** as premature in view of defendant’s opposed motion to dismiss (Rec. Doc. 13) under review and related memoranda that will be viewed as parties’ argument for or against defendant’s dismissal motion.

IT IS FURTHER ORDERED that defendant’s motion to deny plaintiff’s motion for summary judgment (Rec. Doc. 67) is **MOOT**.

IT IS FURTHER ORDERED that defendant’s *ex parte* motion for expedited consideration (Rec. Doc. 68) is **MOOT**.

IT IS FURTHER ORDERED that plaintiff’s opposed second motion to amend complaint is **DISMISSED**. Rec. Doc. 29. However, it will be construed as plaintiff’s supplemental objections to defendant’s pending motion to dismiss based on venue, along with plaintiff’s reply to

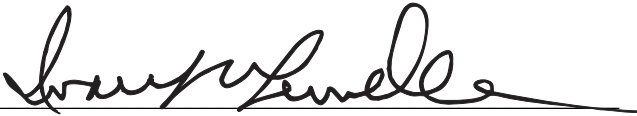
defendant's opposition to the proposed second amendment and related filings. Rec. Docs. 33, 36, and 38.

IT IS FURTHER ORDERED that oral argument will be held on June 24, 2025 at 1:00 p.m. on defendant's opposed motion to dismiss complaint (Rec. Doc. 13).

IT IS FURTHER ORDERED that plaintiff's opposed motion to stay defendant's motion to dismiss pending discovery (Rec. Doc. 33) is **DISMISSED** in view of the foregoing orders.

IT IS FURTHER ORDERED that defendant's motion to stay discovery pending resolution of Spotify's motion to dismiss (Rec. Doc. 39) is **DISMISSED** in view of the foregoing orders.

New Orleans, Louisiana, this 11th day of June, 2025


SENIOR UNITED STATES DISTRICT JUDGE