

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

PUERTO RICO SOCCER LEAGUE NFP CORP.,  
a Puerto Rico for profit corporation, JOSEPH  
MARC SERRALTA IVES, MARIA  
LARRACUENTE, JOSE R. OLMO-  
RODRIGUEZ, FUTBOL BORICUA (FBNET),  
Inc.,

Plaintiffs,

v.

FEDERACIÓN PUERTORRIQUEÑA DE  
FÚTBOL, INC., IVÁN RIVERA-GUTIÉRREZ,  
JOSÉ “CUKITO” MARTINEZ, GABRIEL  
ORTIZ, LUIS MOZO CAÑETE, JOHN DOE 1-  
18, INSURANCE COMPANIES A, B, C,  
FÉDÉRATION INTERNATIONALE DE  
FOOTBALL ASSOCIATION (“FIFA”), and  
CONFEDERATION OF NORTH, CENTRAL  
AMERICA AND CARIBBEAN ASSOCIATION  
FOOTBALL (CONCACAF),

Defendants.

CIVIL ACTION NO. 23-1203  
(RAM)

RE:

COMPLAINT FOR DAMAGES  
RESULTING FROM  
VIOLATIONS OF THE  
SHERMAN ANTITRUST ACT,  
AND DEMAND FOR JURY  
TRIAL

**EMERGENCY REQUEST FOR STAY OF DISCOVERY  
AND REQUEST FOR EXTENSION**

**TO THE HONORABLE COURT:**

**COME NOW** codefendants Federación Puertorriqueña de Futbol, Inc., Iván Rivera-Gutierrez, José “Cukito” Martinez, Gabriel Ortiz, Luis Mozo Cañete (“FPF Defendants”), the Confederation of North, Central America and Caribbean Association Football (“CONCACAF”), and Fédération Internationale de Football Association (“FIFA,” and together, where appropriate, “Defendants”), by and through their undersigned counsel, and respectfully move the Court for

an emergency stay of the discovery until the threshold issues concerning scope of discovery, protective orders, and disqualification of Plaintiff's counsel have been resolved.

## I. INTRODUCTION

1. Currently pending before the Court are three (3) urgent motions that address threshold matters for the Court's consideration given their direct impact on the discovery process in the instant case: i) *Defendants' Joint Motion for Protective Order Limiting the Scope of Discovery*; ii) *Defendants' Joint Motion for Entry of a Protective and Confidentiality and 502(d) Order and Memorandum in Support Thereof*, and iii) *Joint Motion to Disqualify Plaintiff's Counsel and Memorandum of Law in Support Thereof*.

2. The Court ordered the Parties to file "[s]tipulated Protective Orders or motions for protective orders" by March 6, 2025. *See* Dkt. No. 162.

3. Furthermore, on February 4, 2024, Plaintiffs served Defendants with various Requests for Production of Documents and Interrogatories, that are due by March 6, 2025.

4. However, during the course of the parties negotiations over discovery several controversies have arisen that have a determinative effect over the scope, size and conduct of discovery and over the eventual course of the case. Defendants believe that the severity of these controversies warrants a brief stay of discovery until the motions have been considered and resolved by the Court.

## II. DISCUSSION

5. The Supreme Court has long held that the U.S. District Courts have broad discretion to stay proceedings "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." *See generally* Landis v. North American Co., 299 U.S. 248, 254 (1936).

6. As such, a stay of discovery is a decision within the sound discretion of the Court. *See also* Aponte-Torres v. University of Puerto Rico, 445 F.3d 50, 59 (1st Cir. 2006); Dynamic Image Tech., Inc. v. U.S., 221 F.3d 34 (1st Cir. 2000) (“Trial courts have broad discretion in determining the timing of pretrial discovery”). In deciding to exercise its discretionary power to stay proceedings, the court should balance the interests of the parties and the Court. *Id.*, at 254-55; *see also* Microfinancial, Inc. v. Premier Holidays Int'l, Inc., 385 F.3d 72, 77 (1st Cir. 2004); Marquis v. FDIC, 965 F.2d 1148, 1155 (1st Cir. 1992).

7. The *Motion to Disqualify* presents a genuine and serious matter that Defendants respectfully submit must be resolved as soon as possible, before the parties engage in meaningful discovery. Since the parties necessarily conduct discovery by and through their legal counsel, the person or persons serving as lawyers for all or some of plaintiffs moving forward has a direct bearing on the process itself. The current landscape with existing conflicts of interest described therein have a direct and profound impact on the scope and content of discovery, including matters of privilege and confidentiality.

8. Allowing the parties to continue proceedings, when there is a strong possibility that Plaintiff’s legal representation could be disqualified, would also result in the unnecessary expenditure of time and money and judicial resources, when any agreement between the parties may be superseded, or require revisiting, following the substitution of counsel.

9. Furthermore, Defendants have also filed requests for a protective order regarding the scope of discovery, the protection of confidential materials and discovery protocols, all of which also stand as threshold issues that should be resolved before the parties engage in discovery because they are controversies that are determinative to the scope of materials to be discovered, influence the parties’ strategies and the sheer size and length of discovery.

10. A stay of discovery to resolve all of these important matters first will allow the Court and the Parties to economize and maximize their time and efforts.

11. On the contrary, if Defendants were to engage in discovery at this time they will be subject to undue prejudice and may result in rendering their requests for protective and confidentiality order, their request to limit the scope of discovery and the motion to disqualify, entirely or partially moot.

12. Therefore, a short stay of discovery during the time necessary to resolve the pending motions is warranted, would be least disruptive at this stage and help the Parties to economize time and resources.

13. However, should the Court find that it is not inclined to grant the request for stay of discovery, Defendants alternatively request that they be granted a term of fifteen (15) days, counted from the entry of the Court's order, to serve Plaintiffs with discovery. Defendants further request a similar term of fifteen (15) days, counted from the entry of the Court's order, to answer the Requests for Interrogatories and Requests for Production of Documents that have been served by Plaintiff.

### **III. PRAYER**

**WHEREFORE**, Defendants respectfully request the Court take notice of all the above and order and GRANT the instant motion to disqualify Plaintiffs' attorneys from the case. Furthermore, it is respectfully requested that the Court issue an order staying the discovery process in the instant case until the issue of disqualification and other pending discovery motions at have been resolved. In the alternative, Defendants request a fifteen (15) day extension to serve Plaintiffs with discovery requests, and a similar extension to answer the interrogatories and requests for production received from Plaintiffs.

**RESPECTFULLY SUBMITTED.**

Dated: March 6, 2025.

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Dated: March 6, 2025.  
San Juan, Puerto Rico

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