UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

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July 30, 2021

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Appeal Number: 21-11906-AA
Case Style: Maria Canto Marti v. Iberostar Hoteles Y Apartament
District Court Docket No: 1:20-cv-20078-RNS

NOTICE OF APPEAL FILED: June 1, 2021

After review of the district court docket entries, order and/or judgment appealed from, and the notice of appeal, it appears that this court may lack jurisdiction over this appeal. If it is determined that this court is without jurisdiction, this appeal will be dismissed.

The parties are requested to simultaneously advise the court in writing within fourteen (14) days from the date of this letter of their position regarding the jurisdictional question(s) set forth on the attached page. Counsel must submit their response electronically, and do not need to provide paper copies. The responses must include a Certificate of Interested Persons and Corporate Disclosure Statement as described in Fed.R.App.P. 26.1 and the corresponding circuit rules. Requests for extensions of time to file a response are disfavored.

After fourteen (14) days, this court will consider any response(s) filed and any portion of the record that may be required to resolve the jurisdictional issue(s). Please note that the issuance of a jurisdictional question does not stay the time for filing appellant's briefs otherwise provided by 11th Cir. R. 31-1.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: T. L. Searcy, AA
Phone #: (404) 335-6180

Enclosure(s)

JUR-1 Resp reqd JQ

No. 21-11906-AA

JURISDICTIONAL QUESTION

Please address whether the district court's order denying Appellant's renewed motion to vacate the stay of proceedings, entered on May 4, 2021, is final or otherwise appealable. *See Am. Mfrs. Mut. Ins. Co. v. Stone*, 743 F.2d 1519, 1522-23 (11th Cir. 1984) (noting that a stay order is generally not final under 28 U.S.C. § 1291 for purposes of appeal); *Hines v. D'Artois*, 531 F.2d 726, 730-31 (5th Cir. 1976) (providing that a stay order is final and appealable if it puts the appellant effectively out of court); *King v. Cessna Aircraft Co.*, 505 F.3d 1160, 1165-66 (11th Cir. 2007) (explaining that, in determining the extent to which a plaintiff is "effectively out of court," this Court has held that a stay order that is "immoderate and involves a protracted and indefinite period of delay" is final and appealable under 28 U.S.C. § 1291); *King*, 505 F.3d at 1169-70 (holding that stay orders entered pending the conclusion of parallel proceedings in a foreign court are immediately appealable); *see also Plaintiff A v. Schair*, 744 F.3d 1247, 1252-53 (11th Cir. 2014) (explaining that an order is immediately appealable under the collateral order doctrine if it: (1) conclusively determines the disputed question; (2) resolves an important issue completely separate from and collateral to the merits of the action; and (3) would be effectively unreviewable on appeal from the final judgment).