

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**TRONOX LIMITED**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 1:18cv10-SA-RP**

**FEDERAL TRADE COMMISSION**

**DEFENDANT**

**ORDER DENYING MOTION FOR EXPEDITED  
HEARING AND SCHEDULING ORDER**

Plaintiff Tronox Limited filed suit on January 23, 2018 seeking an order compelling the defendant, the Federal Trade Commission, to bring any request for injunctive relief under Section 13(b) by February 15, 2018 or, in the alternative, an injunction prohibiting the FTC from seeking such injunctive relief after that date, as well as a judicial declaration that the FTC could not prevail in such an injunctive proceeding, thereby removing any legal impediment preventing Tronox from closing its proposed transaction with National Titanium Dioxide Company Limited of the Kingdom of Saudi Arabia. Docket 1. Immediately thereafter, Tronox moved for an expedited hearing and scheduling order requiring the FTC to file any motion to dismiss, stay or otherwise suspend this proceeding by January 30, 2018, with briefing by both parties to be completed by February 8, 2018. Docket 3. As yet, Tronox has not docketed any proof of service of the Complaint on the FTC and there has been no entry of appearance by counsel on behalf of the FTC. Tronox has provided no authority in support of the request for an expedited hearing and scheduling order. The undersigned has reviewed the docket, including the Complaint and the current motion, and finds that it is premature.

The Fifth Circuit has held that the court “has the inherent power to control its own docket to ensure that cases proceed before it in a timely and orderly fashion.” *Hernandez v. Mario’s Auto Sales, Inc.*, 617 F. Supp. 2d 488, 493 (5<sup>th</sup> Cir. 2009). Further, the Fifth Circuit has held that a district court is afforded broad discretion over its docket. *McCollum v. Pucket Machinery Co.*, 628 Fed. Appx. 225, 227 (5<sup>th</sup> Cir. 2015). Without evidence that the FTC has been properly served and has had time to respond to the Complaint, the court will not set deadlines for briefing or hearings. As such, Tronox’s motion to expedite hearing and scheduling order is DENIED.

SO ORDERED, this, the 25th day of January, 2018.

/s/ Roy Percy

UNITED STATES MAGISTRATE JUDGE