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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

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Janice Walker,

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No. CV-09-1207-PHX-DGC

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Plaintiff,

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**ORDER**

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vs.

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Law Office of Dennis A. Sever,

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Defendant.

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In February 2008, Janice Walker filed a complaint in Tucson federal court asserting disability discrimination and other claims against Chris Coffee, the purported owner of an apartment complex located in Tucson. Dkt. #1, *Walker v. Bond*, No. CV-08-134-TUC-CKJ (D. Ariz. Feb. 21, 2008); *see also* Dkt. #4. Coffee’s counsel, Dennis Sever, sought to depose Walker. Walker requested that she be allowed to appear for the deposition by telephone due to her alleged disability. On June 5, 2009, Judge Jorgenson heard argument on the issue and requested further briefing. Dkt. ##45, 46.

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One day before the June 5 hearing, Walker commenced this lawsuit and sought an injunction requiring Mr. Sever to allow Walker to appear telephonically at her deposition. Dkt. ##1, 4. Plaintiff’s complaint and motion for preliminary injunction essentially ask this Court to render a decision on the discovery dispute presently pending before Judge Jorgenson. The Court will deny Plaintiff’s request. This lawsuit must be dismissed because it improperly seeks a ruling on an issue pending before another Judge.

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**IT IS ORDERED:**

1. Plaintiff's motion to proceed in forma pauperis (Dkt. #3), motion for preliminary injunction (Dkt. #4), and motion to seal case (Dkt. #5) are **denied**.
2. Plaintiff's complaint (Dkt. #1) is **dismissed**.
3. The Clerk is directed to **terminate** this action.

DATED this 14th day of July, 2009.



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David G. Campbell  
United States District Judge