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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRUCE PATRICK HANEY,

1:04-cv-05935-AWI-SMS-PC

Plaintiff,

vs.

R. SALDANO, et al.,

Defendants,

ORDER TEMPORARILY STAYING DISCOVERY AND GRANTING PLAINTIFF THIRTY (30) DAYS TO FILE AN OPPOSITION TO DEFENDANTS' OBJECTIONS TO AND REQUEST FOR RECONSIDERATION AND CLARIFICATION BY THE DISTRICT COURT OF MAGISTRATE JUDGE'S RULING AND GRANTING DEFENDANTS FOURTEEN (14) DAYS THEREAFTER TO FILE A REPLY

(Doc. 68)

_____ /

Plaintiff Bruce Patrick Haney ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the complaint commencing this action on July 6, 2004. (Doc. 1.) This action now proceeds under the Third Amended Complaint, filed on February 26, 2007, on Plaintiff's claims for deliberate indifference to serious medical needs under the Eighth Amendment against Defendants Correctional Officer R. Saldana and Correctional Sergeant A. L. Nelson ("Defendants"). (Doc. 26.)

On June 1, 2009, the Court issued a Discovery/Scheduling Order establishing a deadline of February 1, 2010 for completion of discovery, including motions to compel, and a deadline of April 5, 2010 for filing pretrial dispositive motions. (Doc. 47.) On September 9, 2009, Plaintiff filed a motion for an order compelling discovery. (Doc. 50.) On May 20, 2010, Defendants filed a Motion for Summary Judgment. (Doc. 57.) On August 24, 2010, this Court issued an order granting in part and denying in part Plaintiff's motion to compel (hereinafter "the Discovery Order"). (Doc. 67.)

1 On September 7, 2010, Defendants filed objections to, request for reconsideration of, and request to
2 stay the Discovery Order. (Doc. 68.)

3 It appears most efficient and reasonable for the Discovery Order to be temporarily stayed
4 until Defendants' objections, request for reconsideration, and request to stay the Discovery Order is
5 fully briefed and ruled on.

6 Based on the foregoing, it is HEREBY ORDERED that:

- 7 (1) The Discovery Order issued by this Court on August 24, 2010, is temporarily stayed;
- 8 (2) Defendants are temporarily relieved from their obligation to comply with the August
9 24, 2010 Discovery Order, pending a ruling on their objections, motion for
10 reconsideration, and request for stay thereof;
- 11 (3) Plaintiff is granted thirty (30) days from the date of service of this order to file an
12 opposition to Defendants objections and request for reconsideration, filed September
13 7, 2010; and
- 14 (4) Defendants are granted fourteen (14) days from the date of filing of any opposition by
15 Plaintiff to file their reply.

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19 IT IS SO ORDERED.

20 **Dated:** September 9, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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