## UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF CALIFORNIA

ERIC CHARLES RODNEY KNAPP,

Plaintiff,

ORDER GRANTING DEFENDANTS' MOTION TO STAY DISCOVERY

v.

(ECF No. 103)

MATTHEW CATE, et al.,

Defendants.

Plaintiff Eric Charles Rodney Knapp ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the third amended complaint, filed September 29, 2010, against Defendants Koenig, Pate, Otto, Backlund, Roberson, Clay, Gibb, Hannah, Semsen, Lyons, and Esquer for deliberate indifference to Plaintiff's need for single cell status in violation of the Eighth Amendment. On March 5, 2012, an order issued opening discovery in this action. (ECF No. 92.) On March 9, 2012, Defendants filed a motion to revoke Plaintiff's in forma pauperis status. (ECF No. 96.) On May 18, 2012, Defendants filed a motion for a protective order. (ECF No. 103.)

Defendants move for a protective order from discovery propounded by Plaintiff in this action. Defendants request that the discovery in this action be stayed until the Court resolves the motion to revoke Plaintiff's in forma pauperis status and for an order limiting Plaintiff to twenty five requests for admission and requiring him to reformulate his requests so they are straightforward and factual.

"Upon motion by a party or by the person from whom discovery is sought . . . , and for good cause shown, the court . . . may make any order which justice requires to protect a party or person

from annoyance, embarrassment, oppression, or undue burden or expense . . . ." Fed. R. Civ. P. 26(c). The Court enjoys "wide discretion in controlling discovery." <u>Little v. City of Seattle</u>, 863 F.2d 681, 685 (9th Cir. 1989).

Upon review of Defendants' motion and the request for admissions attached as an exhibit, the Court finds that it is in the interest of justice to shield Defendants from the expense and burden responding to any discovery requests pending resolution of their motion. Accordingly, IT IS HEREBY ORDERED that discovery in this action is stayed pending resolution of Defendants' motion for a protective order. Plaintiff shall file an opposition or statement of non-opposition to Defendants' motion for a protective order within fourteen days from the date of service of this order.

IT IS SO ORDERED.

Dated: May 25, 2012 /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE