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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK A. VAUGHN,
Plaintiff,
v.
NURSE DURAN and TERAN,
Defendants.

Case No. 1:17-cv-00966-HBK (PC)
ORDER DENYING AS MOOT PLAINTIFF'S
EX PARTE APPLICATION FOR STAY OF
MOTION AND DISCOVERY
(Doc. No. 106)

Pending before the Court is the Plaintiff's Ex Parte Application for Stay of Motion and Discovery, filed on July 14, 2023. (Doc. No. 106, "Ex Parte Motion"). In the Ex Parte Motion, Plaintiff's counsel requests the Court to stay all deadlines pertaining to his Motion to Enforce the Settlement Agreement (Doc. No. 99, "Motion to Enforce"). He asserts that the California Department of Corrections and Rehabilitation ("CDCR") has not produced all relevant records in response to his California Public Records Act ("CPRA") request, (Doc. No. 106 at 2) and needs additional "time to bring a CPRA enforcement action and conduct formal discovery" so that the Court can decide the dispute on a complete record. (*Id.*).


On December 7, 2023, the Court held a telephonic status conference regarding these issues. (Doc. No. 115). On December 15, 2023, the Court issued an Order directing the parties to submit supplemental briefing by January 30, 2024, including any evidence relevant to interpreting the parties' Settlement Agreement, so that the Court can rule on the Motion to Enforce. (Doc.

1 No. 116). On December 19, 2023, the Court held an informal discovery conference to discuss the
2 discovery issues raised in Plaintiff's Motion to Enforce. (Doc. Nos. 117, 119). At the hearing,
3 the Court advised Plaintiff to direct any discovery requests to Defense Counsel, in addition to a
4 CPRA request, and afforded the parties additional time to attempt to resolve the matter. Thus, the
5 Court has afforded Plaintiff additional time to engage in discovery, and invited additional briefing
6 on the Motion to Enforce, making the requests in the Ex Parte Motion moot.

7 Accordingly, it is **ORDERED:**

8 Plaintiff's Ex Parte Application for Stay of Motion and Discovery (Doc. No. 106) is
9 DENIED as moot.

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11 Dated: January 10, 2024


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

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