

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL HARPER,

Plaintiff, No. CIV S-07-2148 JAM KJM F

VS.

COSTA, et al.,

Defendants. ORDER

ORDER

Plaintiff is a state prison inmate proceeding pro se with a civil rights action under 42 U.S.C. § 1983. On November 24, 2008, this court granted defendants' motion for an order staying the case pending the outcome of the pending motion to dismiss (docket no. 39). The court also directed plaintiff not to file his discovery requests with the court (docket no. 38).

21 Defendants have now filed a second request for an extension of time in which to
22 respond to plaintiff's latest requests for discovery (docket no. 46). Counsel explains, correctly,
23 that plaintiff has filed two additional sets of requests for production of documents despite the
24 court's order forbidding him to do so. Plaintiff also has filed motions for an extension of time in
25 which to conduct discovery (docket nos. 42 & 43) and two requests for permission to conduct
26 discovery before the discovery conference (Docket Nos. 40 & 41). Given the recent findings and

1 recommendations, now pending before the district judge, all discovery of any kind will be stayed.

2 The discovery plaintiff has filed with the court will be disregarded.

3 Finally, plaintiff has filed a bizarre motion for a protective order, seeking relief
4 from "numerous depositions scheduled . . . by Daniel Harper" because "the examination at these
5 depositions . . . is intended solely to annoy, embarrass and oppress Daniel Harper and its agents
6 and employees" (docket No. 44 at 1). This motion, which the court finds incomprehensible, will
7 be denied.

8 IT IS HEREBY ORDERED that:

9 1. Defendants' motion for an extension of time in which to respond to plaintiff's
10 discovery requests (docket no. 46) is granted in that all discovery is stayed until the district judge
11 rules on the pending findings and recommendations; if they are not adopted, a discovery schedule
12 will issue;

13 2. Plaintiff's motions for extensions of time in which to conduct discovery
14 (docket nos. 42 & 43) are denied without prejudice;

15 3. Plaintiff's motions to conduct discovery before the discovery conference
16 (docket nos. 40 & 41) are denied; and

17 4. Plaintiff's motion for a protective order (docket no. 44) is denied.

18 DATED: February 11, 2009.

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21 U.S. MAGISTRATE JUDGE
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