

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

## MICHAEL STODDART.

No. 2:12-cv-1054 KJM CKD

Plaintiff,

## ORDER

## EXPRESS SERVICES, INC., et al.,

## Defendants.

Plaintiff's motion regarding the scope of discovery was referred to the undersigned by minute order entered on May 4, 2015. The motion was originally set for hearing on May 8, 2015 before the District Judge. This action is a putative class action and has been pending in this court since April 20, 2012. After filing the motion regarding the scope of discovery, plaintiff filed a first amended complaint. Defendant thereafter moved to dismiss. The motion to dismiss is currently set for hearing on June 5, 2015. Resolution of the motion to dismiss will determine the allowable contours of discovery. Given the expansive breadth of discovery sought by plaintiff and the intrusive nature of the information sought which impacts the privacy rights of nonparties to this action, the court has determined that the motion is premature.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion regarding the scope of discovery (ECF No. 73) is denied without prejudice to its renewal after resolution of the pending motion to dismiss.

1           2. Before the filing of a renewed motion regarding the scope of discovery, the parties are  
2 directed to meet and confer. The motion shall be briefed in accordance with the format set forth  
3 in Local Rule 251.

4 Dated: May 5, 2015

*Carolyn K. Delaney*

5 CAROLYN K. DELANEY  
6 UNITED STATES MAGISTRATE JUDGE

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