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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CITY OF STERLING HEIGHTS
GENERAL EMPLOYEES'
RETIREMENT SYSTEM, Individually
and on Behalf of All Others Similarly
Situated,

Plaintiffs,

v.

PRUDENTIAL FINANCIAL, INC., et al.,

Defendants.

No. 2:15-mc-0146 WBS AC

**Main Case: 2:12-cv-5275 MCA LDW
(D.N.J.)**

ORDER

The California Department of Insurance and Commissioner David E. Jones ("movants") have filed this Miscellaneous proceeding, seeking to quash a non-party deposition subpoena served upon Commissioner Jones, by plaintiffs. The main case under which this proceeding is brought is pending in the District of New Jersey: City of Sterling Heights General Employees' Retirement System v. Prudential Financial, Inc., 2:12-cv-5275 MCA LDW (D.N.J.). This matter was referred to the undersigned by E.D. Cal. R. ("Local Rule") 302(c)(1).

In this court's order of December 4, 2015, plaintiffs were ordered to respond to movants' request that the deposition of Commissioner Jones, scheduled for December 15, 2015, be stayed pending resolution of the motion to quash the deposition subpoena. See ECF No. 7. Plaintiffs have filed their response stating that they have "no opposition" to staying the deposition, except

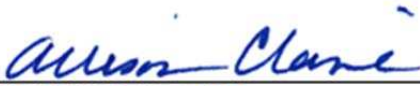
1 that it cannot be stayed past the January 29, 2016 discovery cutoff. ECF No. 8 at 2.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Movants' ex parte application (ECF No. 2) is GRANTED in part, to the extent it seeks
4 a stay of Commissioner Jones's December 15, 2015 deposition until the motion to quash is
5 resolved.

6 2. This court is aware of the January 29, 2016 fact discovery deadline, including
7 depositions, that is pending in the main case. See City of Sterling Heights, 2:12-cv-05275 MCA
8 LDW, ECF No. 328 ¶ 2 (D.N.J. August 21, 2015).

9 DATED: December 8, 2015

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11 ALLISON CLAIRE
12 UNITED STATES MAGISTRATE JUDGE
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