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 7 Keys, Jennifer Swiney, M.D., Bhawna Jain, M.D.,  
 Vikie Fowler, Auguste Reallon, RN., Joseph Kravitz,  
 8 and Maureen McLean*

9  
 10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 12  
 13

14 **JOHN DANIEL VILLA,**

Plaintiff,

15  
 16 v.

17 **LINDA ROWE; JENNIFER SWINEY;  
 18 BHAWNA JAIN; VICKI FOWLER;  
 AUGUSTE REALLON; SHIRLEY KEYS;  
 19 JOSEPH KRAVITZ; MAUREEN  
 McLEAN; RITA SNYDER,**

20  
 21 Defendants.

C 07-1436 WHA (PR)

**MOTION FOR ADMINISTRATIVE  
 RELIEF RE DISCOVERY [Civil Local  
 Rules 7-11, 16-1]; [Proposed] ORDER**

Judge: The Honorable William Alsup  
 Action Filed: November 30, 2007

22 COME NOW defendants Linda Rowe, M.D., Shirley Keys, Jennifer Swiney, M.D.,  
 23 Bhawna Jain, M.D., Vikie Fowler, Auguste Reallon, RN., Joseph Kravitz, and Maureen McLean  
 24 and respectfully request that the Court enter an order staying discovery in this matter pending  
 25 resolution of the defendants' Motion for Summary Judgment that is now pending before the  
 26 Court.  
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1 The plaintiff, appearing in pro se, has propounded 35 pages of formal discovery to eight (8)  
2 defendants, all of whom are health care professionals at Pelican Bay State Prison. To require  
3 them to prepare responses to the extensive requests for admissions, interrogatories and document  
4 demands would consume substantial professional time that would otherwise be devoted to  
5 prisoner health care. Assisting the eight defendants in preparing discovery responses, all located  
6 in the Crescent City area, would require the consumption of substantial public resources.  
7

8 Defendants are mindful that the February 3, 2009 Order of Service After Amendment (Doc.  
9 No. 11) allows both sides to commence discovery. However, defendants believe that their  
10 recently-filed Motion for Summary Judgment is likely to be dispositive of the case.

11 For the reasons set forth above, defendants respectfully request that the Court stay  
12 discovery in this matter until the Court rules on the pending summary judgment motion.  
13

14 Dated: July 16, 2009

Respectfully submitted,

EDMUND G. BROWN JR.  
Attorney General of California

18 /s/ Tom Blake  
TOM BLAKE  
Deputy Attorney General

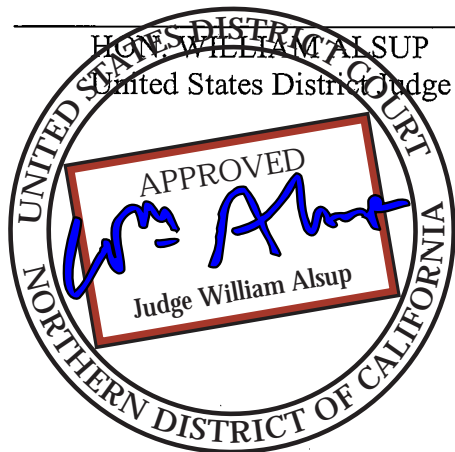
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20 *Attorneys for Defendants Linda Rowe,*  
21 *M.D., Shirley Keys, Jennifer Swiney, M.D.,*  
22 *Bhawna Jain, M.D., Vikie Fowler, Auguste*  
23 *Reallon, RN., Joseph Kravitz, and Maureen*  
24 *McLean*

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[Proposed] ORDER

Discovery in this matter is stayed until the Court enters an order disposing of the defendant's Motion for Summary Judgment, or until further order of the Court.

Dated: July 16, 2007



**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **VILLA, John Daniel v. Linda Rowe, et al.**  
No.: **C 07-1436 WHA (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 16, 2009, I served the attached MOTION FOR ADMINISTRATIVE RELIEF RE DISCOVERY [Civil Local Rules 7-11, 16-1]; [Proposed] ORDER by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

John Daniel Villa, Jr.  
J 38001  
Pelican Bay State Prison  
PO Box 7500  
Crescent City, CA 95532-7500  
Plaintiff

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 16, 2009, at San Francisco, California.

Lorraine Smith  
\_\_\_\_\_  
Declarant

*Lorraine Smith*  
\_\_\_\_\_  
Signature