

United States District Court
For the Northern District of California

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

EDWARD TERRAN FURNACE,)	No. C 09-6075 MMC (PR)
)	
Plaintiff,)	ORDER DENYING PLAINTIFF'S
)	MOTION TO COMPEL; DENYING
v.)	PLAINTIFF'S MOTION FOR
)	SANCTIONS; GRANTING
SGT. K KNUCKLES, et al.,)	DEFENDANTS' MOTION TO STAY
)	DISCOVERY; GRANTING
Defendants.)	DEFENDANTS' ADMINISTRATIVE
)	MOTION TO EXTEND PAGE LIMIT

(Docket Nos. 28, 50, 53, 56)

On December 30, 2009, plaintiff, a California prisoner incarcerated at Corcoran State Prison and proceeding pro se, filed the above-titled civil rights action under 42 U.S.C. § 1983. On April 26, 2011, defendants filed a motion to dismiss and for summary judgment (hereafter, "motion for summary judgment"). Now before the Court are four separate motions concerning the procedures applicable to defendants' motion for summary judgment.

On April 21, 2011, defendants filed an administrative motion to extend the page limit for their memorandum in support of their motion summary judgment. On April 26, 2011, defendants moved to stay discovery pending the Court's ruling on their motion for summary judgment, in light of their assertion therein that they are entitled to qualified immunity. On April 29, 2011, plaintiff moved to compel discovery and also moved for sanctions based on defendants' refusal to respond to discovery.

1 As a general rule, a district court should stay discovery until the issue of qualified
2 immunity is resolved. See Crawford-El v. Britton, 523 U.S. 574, 598 (1998); Harlow v.
3 Fitzgerald, 457 U.S. 800, 818 (1982). Accordingly, defendants' motion to stay discovery
4 until the Court has ruled on the issue of qualified immunity, as raised in defendants' motion
5 for summary judgment, is hereby GRANTED. (Docket No. 50.)


6 In light of the above ruling, plaintiff's motion to compel is hereby DENIED (Docket
7 No. 53) and plaintiff's motion for sanctions is hereby DENIED (Docket No. 56).

8 Lastly, good cause having been shown, defendants' administrative motion to extend
9 the page limit is hereby GRANTED (Docket No. 28) and the 37-page memorandum (Docket
10 No. 31) is accepted for filing.

11 This order terminates Docket Nos. 28, 50, 53, and 56.

12 IT IS SO ORDERED.

13 DATED: May 16, 2011

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15 MAXINE M. CHESNEY
16 United States District Judge
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