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

DALE STEIN,	)	No. C 11-1243 JSW (PR)
	)	
Plaintiff,	)	<b>ORDER ON PENDING MOTIONS</b>
	)	
v.	)	
	)	
G. WOODS; DR. ARTHUR F. MAJOR;	)	
DR. R. NORTON; STANLAKE K. YE;	)	
G. ELLIS; N. WARREN,	)	
	)	(Docket Nos. 13, 14)
Defendants.	)	
_____	)	

Plaintiff, a California prisoner proceeding pro se, filed this rights action pursuant to 42 U.S.C. § 1983 against various prison officials for inadequate dental care. Plaintiff has filed a request for a clarification as to whether the Court’s prior order limiting him to 15 interrogatories was 15 interrogatories per defendant or 15 interrogatories in total. The answer is 15 interrogatories in total.

Plaintiff has filed a motion for summary judgment (docket number 13), which is DENIED because he did not serve it upon defendants. Plaintiff may file the motion again or he may simply raise the arguments raised therein when he opposes the motion for summary judgment that defendants intend to file, but he must serve any paper he files upon defendants if he wishes to have it considered. Plaintiff has also filed a motion to deny defendants request for qualified immunity. In their motion for a protective order, defendants indicate that they intend to argue for qualified immunity in a future motion.

1 When and if they do, the Court will consider Plaintiff's arguments against such a  
2 defense. As they have yet to plead or assert such a defense in any motion, however,  
3 Plaintiff's motion (docket number 14) is DENIED as premature.

4 IT IS SO ORDERED.

5 DATED: October 18, 2011

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8 JEFFREY S. WHITE  
9 United States District Judge  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 DALE RICHARD STEIN,  
6 Plaintiff,

Case Number: CV11-01243 JSW

**CERTIFICATE OF SERVICE**

7 v.

8 G WOODS et al,

9 Defendant.  
10 \_\_\_\_\_/

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on October 18, 2011, I SERVED a true and correct copy(ies) of the attached, by placing  
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
16 delivery receptacle located in the Clerk's office.

17 Dale R. Stein  
18 S.V.S.P.  
19 P.O. Box 1050  
J82424  
Soledad, CA 93960

20  
21 Dated: October 18, 2011



Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk

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