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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 GREG HAYES, No. C-11-1702 EMC
9 Plaintiff,
10 v.
11 MUSA DAJANI, *et al.*, **ORDER DENYING
12 Defendants. REQUEST FOR THE
PLAINTIFF'S MOTION TO AMEND**

**ORDER DENYING PLAINTIFF'S
REQUEST FOR HEARING ON
PLAINTIFF'S MOTION FOR LEAVE
TO AMEND**

16 The Court has stayed this case until at least March 9, 2012, when the next case management
17 conference is to take place. The stay is based in large part on Mr. Hayes being confined at the Napa
18 State Hospital. *See* Docket No. 53 (order). The same day that the Court issued the stay, Mr. Hayes
19 filed a motion asking for leave to amend his complaint. *See* Docket No. 54 (motion). The Court
20 subsequently clarified through a Clerk's Notice that Mr. Hayes's motion would be deferred in light
21 of the stay. Mr. Hayes now asks the Court to proceed with his motion in spite of the stay.

22 The Court hereby **DENIES** Mr. Hayes's request. The Court has afforded Mr. Hayes the
23 benefit of a stay because of his circumstances. It is not equitable to permit Mr. Hayes to litigate this
24 case in spite of the stay but deny Defendants the opportunity to do the same. Moreover, Mr. Hayes
25 has not established why it is necessary to proceed with his motion at this time. There is no
26 indication that he would be unduly or irreparably prejudiced by having his motion deferred for
27 several months.

1 Finally, to the extent Mr. Hayes is asking the Court or the Clerk of the Court for a copy of
2 his own motion for leave to amend, this request is also **DENIED** without prejudice. The Court has
3 previously informed Mr. Hayes that he provide payment for the cost of copying before any copies
4 can be provided to him. *See* Docket No. 49 (Order at 2). There is no “case account” that can be
5 “charged.”

6 This order disposes of Docket No. 57.

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8 IT IS SO ORDERED.

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10 Dated: January 23, 2012


EDWARD M. CHEN
United States District Judge

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