

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

THEODORE F. LEE,

Plaintiff,

No. C 12-04526 JSW

v.

UNITED STATES OF AMERICA,

Defendant.

**ORDER REGARDING  
PLAINTIFF'S MOTION TO STAY  
ALL PROCEEDINGS**

Now before the Court is the motion to stay all proceedings in this action until January 23, 2013 filed by Plaintiff Theodore F. Lee ("Plaintiff"). The Court finds that this matter is appropriate for disposition without oral argument and it is hereby deemed submitted. *See* Civ. L.R. 7-1(b). Accordingly, the hearing set for January 18, 2013 is **HEREBY VACATED**. Having carefully reviewed the parties' papers and considered their arguments and the relevant legal authority, and good cause appearing, the Court hereby **GRANTS IN PART** and **DENIES IN PART** Plaintiff's motion to stay.

The Court is only issuing a temporary stay with respect to the proceedings in this action. This is an action to quash a formal document request. In his motion for a stay, in addition to moving to stay proceedings in this action, Plaintiff also requests the Court stay any summons enforcement proceedings. This additional request is beyond the scope of this action. Plaintiff has not provided any authority for or basis supporting such a stay. Accordingly, the Court denies Plaintiff's request to stay proceedings beyond the scope of this action.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Although Plaintiff has already filed an opposition to Defendant's motion to dismiss based on lack of jurisdiction, the Court HEREBY GRANTS an extension. Plaintiff may file an amended opposition by no later than February 8, 2013. If Plaintiff files an amended opposition, Defendant may file an amended reply by no later than February 15, 2013. The hearing on the motion to dismiss based on lack of jurisdiction is CONTINUED to March 1, 2013.

**IT IS SO ORDERED.**

Dated: January 14, 2013

  
\_\_\_\_\_  
JEFFREYS. WHITE  
UNITED STATES DISTRICT JUDGE