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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HEARTLAND PAYMENT SYSTEMS,
INC.,

Plaintiff,

v.

MERCURY PAYMENTS SYSTEMS LLC,

Defendant.

Case No. [14-cv-00437-CW](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. Nos. 54, 55

Pending before the Court are two joint discovery dispute letters, filed July 22, 2014. The first concerns a dispute over the subpoena that Plaintiff Heartland Payments Systems, Inc. served on nonparty Payment Revolution LLC on June 10, 2014 pursuant to Federal Rule of Civil Procedure 45. Dkt. No. 54. The second concerns a dispute over the timing of discovery, and whether discovery should be stayed pending resolution of Defendant Mercury Payment Systems LLC's motion to dismiss. Dkt. No. 55. Upon review of the docket in this case, the Court notes that no case management order has issued, so discovery has yet to commence. Further, Defendant has both a Motion to Transfer and a Motion to Dismiss pending, and any discovery therefore seems premature without permission from the presiding judge. Accordingly, based on the current status of the case, the Court GRANTS Defendant's request that discovery not proceed pending resolution of its Motion to Dismiss.

IT IS SO ORDERED.

Dated: July 24, 2014



MARIA-ELENA JAMES
United States Magistrate Judge