

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BERRY LYNN ADAMS,

Plaintiff,

v.

DANIEL L. KRAFT, PHILLIP HAUCK, KIRK
LINGENFELTER, K. P. BEST, J. I. STONE,
CHIP BOCKMAN, R. CALLISON, and SCOTT
SIPES,

Defendants.

Case No.: 10-CV-00602-LHK

ORDER DENYING REQUEST FOR
PROTECTIVE ORDER

On March 4, 2011, Plaintiff requested that this Court stay discovery pursuant to Federal Rule of Civil Procedure 26(c) until the Court ruled on Defendants' pending motion to dismiss, Dkt. No. 93, at 1, or until after Defendants answer the complaint, *id.*, at 3. Plaintiff argued that a stay is justified because the Court's anticipated ruling on Defendants' motion to dismiss may render it unnecessary for him to respond to Defendants' discovery requests. Defendants oppose Plaintiff's motion on three grounds. Dkt. No. 97. First, Defendants argue that Plaintiff has failed to properly follow the procedural rules for noticing and filing his motion. Second, Defendants argue that this issue was already resolved at the December 2, 2010 case management conference held before the undersigned judge. Third, Defendants argue that Plaintiff's motion fails to show any good cause for granting a protective order.

1 At the Case Management Conference, the Court stated that it disfavored any stay of
2 discovery. The Court ordered that meaningful discovery take place in advance of the mediation to
3 maximize the possibility of settlement. The Court set the mediation deadline for April 30, 2011,
4 and the close of all discovery for July 31, 2011.

5 Plaintiff filed the complaint in this action over a year ago, on February 10, 2010. The Court
6 is disturbed that Plaintiff has not responded to discovery requests Defendants propounded in
7 September 2010 and re-propounded in December 2010 and January 2011. The Court disfavors any
8 extensions of the case deadlines and expects the parties to actively litigate this case to comply with
9 the case schedule.

10 Plaintiff's Request for Protective Order, which was not properly noticed and did not comply
11 with the Civil Local Rules, is DENIED with prejudice.

12 **IT IS SO ORDERED.**

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14 Dated: March 22, 2011

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16 LUCY H. KOH
17 United States District Judge
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