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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**MALCOLM FRETT,**  
  
Plaintiff,  
  
v.  
  
**F. JACQUEZ, et al.,**  
  
Defendants.

Case No. C 10-3733 RMW (PR)

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO STAY  
DISCOVERY**

Defendants moved under Federal Rule of Civil Procedure 26(c) for a stay of discovery pending the Court's ruling on Defendants' motion to dismiss, filed on May 5, 2011. The Court has reviewed Defendants' motion and all opposition papers, and GRANTS the motion because Defendants have shown good cause.

Defendants requested that the Court stay discovery pending its ruling on Defendants' motion to dismiss. Because this case will be dismissed if the Court grants Defendants' motion, and because none of Frett's recently-served discovery requests concerns the issues raised in Defendants' motion, all discovery, including discovery motions, is stayed until the Court rules on the motion to dismiss.

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IT IS SO ORDERED.

Dated: \_\_\_\_\_

*Ronald M. Whyte*  
HONORABLE RONALD M. WHYTE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

MALCOLM FRETT,  
Plaintiff,

Case Number: CV10-03733 RMW

**CERTIFICATE OF SERVICE**

v.

F JACQUEZ et al,  
Defendant.

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

That on October 20, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Malcolm Frett T37449  
High Desert State Prison  
C8-101-P  
PO Box 3030  
Susanville, CA 96127

Dated: October 20, 2011

Richard W. Wieking, Clerk  
By: Jackie Lynn Garcia, Deputy Clerk