

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

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CALVARY CHAPEL SAN JOSE, et al.,
Plaintiffs,
v.
SARA CODY, et al.,
Defendants.

Case No. 20-cv-03794-BLF

**ORDER GRANTING MOTION FOR
STAY OF DISCOVERY**

[Re: ECF 95]

Defendants Governor Gavin Newsom and Public Health Officer Dr. Tomás Aragón (collectively, “State Defendants”) have filed a motion to stay all discovery pending the resolution of their not-yet-filed motion to dismiss. *See* Mot., ECF 95. Plaintiffs oppose this motion. *See* Opp’n, ECF 96. The Court GRANTS this motion and will stay discovery until 10 days after the filing of the third amended complaint.

This Court “has wide discretion in controlling discovery.” *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). Under the particular circumstances of this case, with the Parties’ stipulation to postpone the filing of the third amended complaint, *see* Stipulation, ECF 88, good cause exists to stay discovery until 10 days after the filing of the third amended complaint. It is not reasonable to require Defendants to respond to discovery without knowing the boundaries of the claims against them.

IT IS SO ORDERED.

Dated: June 3, 2021



BETH LABSON FREEMAN
United States District Judge