

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 08-cv-02650-PAB-BNB

JASON FOWLER,

Plaintiff,

v.

UNITED STATES OF AMERICA, and  
SEAN GARRICK,

Defendants.

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**ORDER**

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This matter arises on the **Joint Motion to Stay Discovery** [Doc. # 26, filed 5/1/2009] (the “Motion”). The Motion in essence is a request to reconsider my Order [Doc. # 24] denying the parties’ request to extend the deadlines for the designation of expert witnesses. All parties agree that proceeding with experts and discovery would be unjust and wasteful until there is a determination of the yet-to-be-filed motion to dismiss by the United States asserting sovereign immunity.

IT IS ORDERED that the Motion is GRANTED. Discovery and all related pretrial deadlines are STAYED pending a determination of the issue of sovereign immunity.

IT IS FURTHER ORDERED that the United States shall file a status report immediately upon any decision not to file a motion to dismiss based on sovereign or a decision to abandon that defense.

IT IS FURTHER ORDERED that the parties shall file a status report within 10 days of any ruling by the district judge determining the issue of sovereign immunity, discussing the additional pretrial matters, if any, that should be scheduled.

Dated May 4, 2009.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge