

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 09-cv-00249-PAB-KMT

ANDREA P. ANDREWS and  
BYRON K. ANDREWS,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

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**ORDER**

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This matter comes before the Court on Defendant's "Motion to Stay Discovery" (Doc. No. 50, filed August 28, 2009). Defendant has filed a motion to dismiss on the grounds of sovereign immunity and for failure to state a claim. The Supreme Court has recognized that where a defense of qualified immunity is raised, "[u]ntil [the] threshold immunity question is resolved, discovery should not be allowed." *Siegert v. Gilley*, 500 U.S. 226, 231 (1991).

Therefore, Defendant's motion (#47) is **GRANTED**. Discovery is stayed pending ruling on the motions to dismiss.

Dated this 15th day of September, 2009.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Kathleen M. Tafoya", written in a cursive style.

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Kathleen M. Tafoya  
United States Magistrate Judge