

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01899-PAB-KLM

GERALD LEE PATTERSON,

Plaintiff,

v.

GEORGE SANTINI, M.D.,
CAMACHO, P.A., and
FIVE JOHN/JANE DOES,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Defendants' Motion to Stay** [Docket No. 32; Filed May 10, 2012] (the "Motion"). Defendants request that this matter be stayed pending a determination of whether they are entitled to qualified immunity. On March 28, 2012, the Court issued a Recommendation to the District Judge, which recommended finding that Defendants are not entitled to qualified immunity at this stage of the proceeding. See *Rec.*, [#24] at 8. The Recommendation remains pending.

Qualified immunity "give[s] government officials a right, not merely to avoid 'standing trial,' but also to avoid the burdens of 'such pretrial matters as discovery . . .'" *Behrens v. Pelletier*, 516 U.S. 299, 308 (1996) (citation omitted). Immunity questions should be resolved at the earliest possible stage of the litigation, thereby avoiding many of the associated burdens and costs. *Albright v. Rodriguez*, 51 F.3d 1531, 1534 (10th Cir. 1995). In light of the Court's obligation to "exercise its discretion so that officials [properly asserting qualified immunity] are not subjected to unnecessary and burdensome discovery or trial proceedings," *Crawford-El v. Britton*, 523 U.S. 574, 597-98 (1998),

IT IS HEREBY **ORDERED** that the Motion is **GRANTED** as follows. This case is **STAYED** pending the resolution of the Recommendation [#24] and Defendants' Motion to Dismiss [#17].

IT IS FURTHER **ORDERED** that the Scheduling Conference set for July 3, 2012, is **VACATED**.

Dated: May 11, 2012