

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

DAVID NELSON,  
Plaintiff,

v.

Case No. 3:08cv508/MCR/EMT

UNITED STATES OF AMERICA,  
Defendant.

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**ORDER**

In this action filed pursuant to 28 U.S.C. § 1346 the Government has filed a Motion to Dismiss Plaintiff's First Amended Complaint (Doc. 17), to which Plaintiff has responded (Doc. 20). Although the court has not issued an Initial Scheduling Order, the parties conferred pursuant to Fed.R.Civ.P. 26(f) and submitted a joint report (Doc. 24). In their report the parties set forth a proposed discovery plan with a discovery completion date of December 10, 2009.

In the interest of conserving the court's and the parties' resources, the court will stay discovery in this case until it has issued, and the district court has ruled on, a Report and Recommendation on the Government's pending motion. Following the district court's ruling, the court will enter an Initial Scheduling Order as may be appropriate.

Accordingly, it is **ORDERED**:

All discovery in this case is **STAYED** until further order of the court.

**DONE AND ORDERED** this 9<sup>th</sup> day of July 2009.

*/s/ Elizabeth M. Timothy*

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**ELIZABETH M. TIMOTHY**  
**UNITED STATES MAGISTRATE JUDGE**