

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALCOLM BEATON,

Plaintiff,

Civil Action No.
14-CV-13590

vs.

Honorable Patrick J. Duggan

CITY OF ALLEN PARK, et al.,

Defendants.

**ORDER GRANTING DEFENDANT JOYCE PARKER'S MOTION FOR
PROTECTIVE ORDER STAYING DISCOVERY**

This is a First Amendment retaliation case. Plaintiff Malcolm Beaton is suing (1) the City of Allen Park, (2) its mayor, William Matakas, and (3) its emergency manager, Joyce Parker. There are two dispositive defense motions presently pending: a motion to dismiss, filed by Defendant Parker on December 23, 2014, and a motion for summary judgment, filed by Defendants City of Allen Park and Matakas on January 7, 2015. Both motions are fully briefed.

In addition, Defendant Parker filed a motion for protective order on December 23, 2014, urging the Court to stay discovery in this case pending the resolution of the two presently-pending dispositive motions. Plaintiff opposes a stay of discovery. The Court has reviewed the briefs submitted by the parties and concludes that a stay of discovery pending resolution of the two presently-pending

defense motions is appropriate, especially because Defendant Parker asserts in her motion to dismiss that she is entitled to qualified immunity. *See Hahn v. Star Bank*, 190 F.3d 708, 719 (6th Cir. 1999) (“Trial courts have broad discretion and inherent power to stay discovery until preliminary questions that may dispose of the case are determined.”); *Criss v. City of Kent*, 867 F.2d 259, 261 (6th Cir. 1988) (“[D]iscovery in litigation against government officials should be halted until the threshold question of immunity is resolved.”). Accordingly, Defendant Parker’s motion for protective order is **GRANTED** and discovery is **STAYED** until further order of the Court.

SO ORDERED.

Dated: February 20, 2015

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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