UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VAN JENKINS,

Plaintiff

v.

MICHIGAN DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants
_____/

Case No. 5:14-cv-11812
District Judge Judith E. Levy
Magistrate Judge Anthony P. Patti

ORDER DENYING DEFENDANTS' MOTION TO STAY AS MOOT (DE 56)

This matter is before the Court for consideration of former Defendants Douglas Fox, Erika Saxton, Clinton Bradley, Gary Edwards, Annette White, Fern Bean, and Adrian Green's motion to stay discovery (DE 56) and Plaintiff's response (DE 58.) For the reasons that follow, the motion to stay is **DENIED AS MOOT**.

Defendants filed the instant motion on April 17, 2015. At the time of filing, the following dispositive motions remained pending before the Court: 1) a Report and Recommendation that Plaintiff's claims against Defendants Saxton, Bradley, White, Edwards, Fox, and Bean be dismissed for failure to exhaust administrative remedies (DE 45); and 2) Defendant Green's motion for summary judgment (DE 39). Defendants (now former Defendants) sought a stay of discovery until the

dispositive motions were addressed. They asserted that there was good cause to stay discovery because the pending dispositive motions were substantial and well-founded in law. Plaintiff opposed the motion, arguing that such a stay would cause excessive delay and costs in this action. (DE 58.)

Since the time the motion to stay was filed, the Court has ruled on all pending dispositive motions and dismissed Plaintiff's claims against all of the Defendants named in the motion to stay. (DE 59 and 74.) Currently, there is only one remaining named Defendant in this action, and that individual has not yet been served. (*See* DE 70.) Thus, all dispositive motions have been addressed and Plaintiff's claims against the Defendants named in the motion to stay have been dismissed. Accordingly, the motion to stay discovery is **DENIED AS MOOT**.

IT IS SO ORDERED.

Dated: September 16, 2015

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 16, 2015, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti