

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**THE ESTATE OF RANDY LYNN CHENEY,  
BY AND THROUGH GEORGE R. CHENEY,  
ADMINISTRATOR**

**PLAINTIFF**

**VS.**

**CAUSE NO. 4:09-CV-111-P-S**

**WANDA COLLIER, INDIVIDUALLY AND OFFICIALLY,  
GLORIA PERRY, INDIVIDUALLY AND OFFICIALLY,  
THOMAS G. TAYLOR, INDIVIDUALLY AND OFFICIALLY,  
SYLVIA KELLY, INDIVIDUALLY AND OFFICIALLY,  
WEXFORD HEALTH SOURCE, INC.,  
THOMAS LEHMAN, M.D., JUAN SANTOS, M.D.,  
DOM TRINCA, M.D., AND JOHN DOES 1-10,**

**DEFENDANTS**

**ORDER**

This matter is before the court on motion of defendants, Wexefors Health Sources, Inc., Dr. Santos, Dr. Lehman, and Dr. Trinca, to stay all proceedings (#49) pursuant to Rule 16(b)(3) of the Uniform Local Rules for the Northern and Southern Districts of Mississippi. The rule provides that:

(b) Filing an immunity defense or jurisdictional defense motion stays the attorney conference and disclosure requirements and all discovery not related to the issue pending the court's ruling on the motion issue, including any appeal.

(c) At the time the immunity defense or jurisdictional defense motion is filed, the moving party shall submit to the magistrate judge a proposed order granting the stay but permitting discovery relevant only to the defense raised in the motion.

(d) The plaintiff must promptly notify the magistrate judge of a decision on the motion and must submit a proposed order lifting the stay. Within fourteen days of the order lifting the stay, the parties must confer in accordance with L.U.Civ.R. 26(c), and all other deadlines will be determined accordingly.

In the instant case, an order staying the case as to Dr. Gloria Perry and Sylvia Kelly was entered on March 23, 2010 (#29). That order was intended to stay the case as to all parties and

should have reflected the same. However, the court notes that the language of the order didn't clearly state that the case was stayed as to all defendants; therefore defendant's motion to stay is GRANTED.

IT IS, THEREFORE, ORDERED that all proceedings outside qualified immunity-related discovery and the briefing of the motion for qualified immunity are STAYED AS TO ALL DEFENDANTS.

SO ORDERED, This the 21<sup>st</sup> day of July, 2010.

/s/David A. Sanders  
United States Magistrate Judge