UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOSETTE HERNANDEZ, Plaintiff(s), vs. WESTSTATES PROPERTY MANAGEMENT, et al., Defendant(s).	Case No. 2:14-cv-02113-JAD-NJK ORDER DENYING DISCOVERY PLAN (Docket No. 29)

Pending before the Court is the parties' proposed discovery plan, which includes a stay of discovery until after the hearing on various motions, including a motion to dismiss. *See* Docket No. 29 at 1-2. "The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending." *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). The case law in this District makes clear that requests to stay all discovery may be granted when: (1) the pending motion is potentially case-dispositive; (2) the potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken a "preliminary peek" at the merits of the motion and is convinced that the plaintiff will be unable to state a claim for relief. *See, e.g.*, *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). The pending discovery plan fails to address these standards. Accordingly, it is hereby **DENIED**.

//

//

//

The parties must file, no later than April 1, 2015, either a request to stay discovery addressing the relevant standards or an amended discovery plan that omits any stay of discovery.

IT IS SO ORDERED.

DATED: March 25, 2015

NANCY J. KOPPE
United States Magistrate Judge