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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 DAVID THOMPSON,

6 Plaintiff,

7 v.

8 PERRY RUSSELL, et al.,

9 Defendants.

3:23-cv-00341-MMD-CSD

ORDER

Re: ECF No. 41

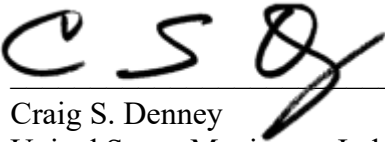
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11 On October 4, 2024, Plaintiff David Thompson (Thompson) filed a motion to stay discovery
12 in this action pending the outcome of a motion to certify a class in another case, *Lyons v. Russell*, Case
13 No. 3:23-cv-00335-MMD-CSD. (ECF No. 41.) Defendants filed an opposition to the motion to stay
14 discovery. (ECF No. 42.) Plaintiff filed a reply. (ECF No. 43.)

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16 On October 15, 2024, the court issued a report and recommendation in *Lyons v. Russell* that
17 the motion to certify a class action be denied. (ECF No. 47.) On January 24, 2025, District Judge Du
18 adopted the recommendations in the R&R. (ECF No. 53.) Because the court has ruled that Plaintiff's
19 motion to certify a class action in *Lyons v. Russell* be denied, Plaintiff Thompson's motion to stay
20 discovery in this action pending the outcome of the motion in *Lyons* is moot.

21 Accordingly, Plaintiff's motion to stay discovery (ECF No. 41) is **DENIED** as moot.

22 **IT IS SO ORDERED.**

23 DATED: January 28, 2025.

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27 Craig S. Denney
United States Magistrate Judge