

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DR. XIMENA P GALARZA-RIOS, MD,

Plaintiff,

v.

No. CV 20-813 WJ/CG
consolidated with
No. CV 20-900 WJ/CG

OPTUMCARE NEW MEXICO, LLC,

Defendants.

ORDER EXTENDING STAY OF DISCOVERY

THIS MATTER is before the Court upon review of the record. The Court previously stayed all discovery and pretrial deadlines in this case, pending resolution of the dispositive motions in two related actions, 20-cv-474 RB/SCY and 20-cv-900 WJ/CG. On April 23, 2021, the parties filed a *Third Joint Status Report*, (the “JSR”), notifying the Court that United States District Judge Robert C. Brack granted Plaintiff’s request to amend her complaint in 20-cv-474 RB/SCY, and consequently denied Defendant’s Motion to Dismiss, (Doc. 4), “as moot [] but with leave to refile based on the amended complaint.” (Doc. 39 at 1). The parties explain, however, that Judge Brack’s ruling on the Motion to Dismiss “was not a substantive ruling—as it did not resolve the pending motion on the merits—and thus this Court’s Stay should continue to remain effective until such ruling.” *Id.*

IT IS THEREFORE ORDERED that this matter is further stayed until **May 28, 2021**.

IT IS FURTHER ORDERED that on or before **May 28, 2021**, the parties shall provide a joint status report updating the Court on the status of any renewed motion to dismiss Defendant intends to file in the related cases.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE