

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

ERICA A. MADRID,

Plaintiff,

No. 2:17-cv-00977-KG-KRS

v.

BRITT SNYDER; CHAVES COUNTY
SHERIFF'S DEPARTMENT; COUNTY
OF CHAVES; and COMMISSIONERS OF
CHAVES COUNTY,

Defendants.

**ORDER FINDING GOOD CAUSE TO DELAY ENTRY OF
RULE 16 SCHEDULING ORDER AND STAYING DISCOVERY**

THIS MATTER comes before the Court following a telephonic status conference held on November 16, 2017. During the conference, the parties and the Court discussed the Court's obligation to enter a scheduling order under Federal Rule of Civil Procedure 16 or find good cause to delay entry of such an order. *See Fed. R. Civ. P. 16(b)(2)* (requiring the Court to "issue the scheduling order as soon as is practicable, but unless the judge finds good cause for delay, the judge must issue it within the earlier of 90 days after any defendant has been served with the complaint or 60 days after any defendant has appeared"). After hearing from the parties and in light of the pending motion to dismiss, the Court found good cause to delay entering a scheduling order and granted the parties' oral motion to stay discovery pending resolution of the dispositive motion.

IT IS, THEREFORE, ORDERED that good cause exists to delay entering a Rule 16 scheduling order for the reasons stated on the record. The Court shall not issue a scheduling order until resolution of the pending motion to dismiss.

IT IS FURTHER ORDERED that the parties' oral motion to stay discovery is **GRANTED** and discovery in this matter is **STAYED** pending resolution of the motion to dismiss.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE