

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:13-CV-00150-FL

TOM PRICE and WILLIAM LEGG,)
)
Plaintiffs,)
)
vs.)
)
CITY OF FAYETTEVILLE, NORTH)
CAROLINA, KATHERINE BRYANT, in her)
official capacity as Chief of Police for the)
Fayetteville Police Department, and JOHN)
DOE, individually and in his official capacity as)
Police Officer for Fayetteville Police)
Department,)
)
Defendants.)
_____)

MOTION TO STAY DISCOVERY
AND ALL PROCEEDINGS
PENDING APPEAL

Motion GRANTED.

This the 3rd day of May, 2013.

/s/Louise W. Flanagan, U.S. District Judge

COMES NOW Plaintiffs Tom Price and William Legg and respectfully move this Court to stay discovery and all proceedings pending the appeal of the Order denying Plaintiffs' Motion for Preliminary Injunction to the U.S. Court of Appeals for the Fourth Circuit. Plaintiffs Tom Price and William Legg have properly appealed this Court's Order denying their Motion for Preliminary Injunction in accordance with 28 U.S.C. § 1292(a)(1). In light of the appeal, a stay of discovery and proceedings until the Appellate Court rules on the appeal will serve judicial economy and efficiency and avoid unnecessary and/or repeat discovery.

Counsel for Plaintiffs has conferred with counsel for Defendants about this Motion. The Defendants do not oppose this Motion and do not wish to be heard.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs Tom Price and William Legg respectfully request that this Honorable Court grant their Motion to Stay.