

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

GLEN A. HESS,

Plaintiff,

Case No.: 3:13-CV-312

vs.

CITY OF HUBER HEIGHTS  
MUNICIPALITY, *et al.*,

Judge Walter H. Rice  
Magistrate Judge Michael J. Newman

Defendants.

---

---

**ORDER**

---

---

This case was filed *pro se* against the City of Huber Heights and a number of other Defendants. Now before the Court are three motions to stay discovery pending the Court's ruling on the motions to dismiss filed by the Huber Heights Defendants, Defendant Mathias Heck, and Defendant Robert Coughlin. Docs. 28-30. Defendants argue that a stay is warranted because their respective motions to dismiss are based in part on immunity and/or statute of limitations grounds. Doc. 28 at PageID 398.

“Trial courts have broad discretion and inherent power to stay discovery until preliminary questions that may dispose of the case are determined.” *Hahn v. Star Bank*, 190 F.3d 708, 719 (6th Cir. 1999). “Limitations on pretrial discovery are appropriate where claims may be dismissed ‘based on legal determinations that could not have been altered by any further discovery.’” *Gettings v. Bldg. Laborers Local 310 Fringe Benefits Fund*, 349 F.3d 300, 304 (6th Cir. 2003) (quoting *Muzquiz v. W.A. Foote Mem’l Hosp., Inc.*, 70 F.3d 422, 430 (6th Cir. 1995)).

Pending before the Court are three motions to dismiss filed by Defendants (docs. 6, 9, 10) and Plaintiff's motion for leave to file an amended complaint (doc. 14). These dispositive motions, if granted, would result in the dismissal of Plaintiff's case, and their resolution is based on legal determinations that cannot be altered by discovery. *See Grudzinski v. Staren*, 87 F. App'x 508, 511 (6th Cir. 2004) (affirming the District Court's grant of a motion to stay discovery because "the [D]istrict [C]ourt did not need additional facts to decide the dispositive legal issues").

Accordingly, for good cause shown, Defendants' motions to stay discovery (docs. 28-30) are each **GRANTED**. All discovery in this case is **STAYED** pending the Court's ruling on Plaintiff's motion for leave to amend and Defendants' multiple motions to dismiss.

**IT IS SO ORDERED.**

January 28, 2014

s/ **Michael J. Newman**  
United States Magistrate Judge