

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

<p><b>MARK KINKEAD,</b></p> <p style="text-align: center;"><b>PLAINTIFF,</b></p> <p><b>vs.</b></p> <p><b>TERRY DURBOROW, et al.,</b></p> <p style="text-align: center;"><b>DEFENDANTS.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>CASE No. 08-CV-562-JHP-FHM</b></p>
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**OPINION AND ORDER**

Correspondence from Plaintiff, Mark Kinkead, to the Clerk of Court titled: Judicial Notification [Dkt. 137] is before the Court for consideration.

Liberal construed, the Court understands the correspondence to be a motion for a protective order to prevent Defendants from conducting discovery in the form of Defendants' Subpoena Duces-Tecum dated October 1, 2010. [Dkt. 136-1].

In its prior Opinion and Order issued September 29, 2010 [Dkt. 135], the Court explained that it did not intend for general merits discovery to occur prior to a ruling on dispositive motions.

The Court, therefore, grants a protective order directing Defendants to withdraw the Subpoena Duces Tecum issued by Defendants on September 29, 2010 [Dkt. 136-1] and stays further discovery in the case until the Court rules on dispositive motions.

SO ORDERED this 12th day of October, 2010.

  
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**FRANK H. McCARTHY**  
 UNITED STATES MAGISTRATE JUDGE