

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DIANA RADER,)
)
Plaintiff,)
)
vs.) 2:09cv280
) **Electronic Filing**
CITY OF PITTSBURGH, DETECTIVE)
J. R. SMITH, DETECTIVE SCOTT)
EVANS, DETECTIVE TERRY)
HEDIGER,)
)
Defendants.)

ORDER OF COURT

AND NOW, this 12th day of May, 2011, upon due consideration of plaintiff's motion to stay pending resort to state court, which is not objected to by the defendants, IT IS ORDERED that the discovery and pending pretrial deadlines in instant action are stayed until further order of court to allow plaintiff to seek relief in the state court system in the form of obtaining the transcript of the defendant police officers' grand jury testimony and/or the taking of the deposition of Diane Berman. Plaintiff shall notify this court of any final decision rendered in the state court system in connection with plaintiff's motion to obtain the aforesaid transcripts and/or take the deposition of Ms. Berman. In the event plaintiff is unable to obtain adequate relief, the entry of this order will not in itself preclude plaintiff from seeking relief in this court to enforce the subpoena issued for the production of the transcripts and/or taking Ms. Berman's deposition.

s/ David Stewart Cercone
David Stewart Cercone
United States District Judge

cc: Timothy P. O'Brien, Esquire
Michael E. Kennedy, Esquire
Bryan Campbell, Esquire

(Via CM/ECF Electronic Mail)