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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

DANIEL JAY PEREZ,  
  
Plaintiff,  
  
v.  
  
DICK MORGAN, et al.,  
  
Defendants.

NO. 3:16-cv-6023 RBL-TLF  
  
ORDER GRANTING  
DEFENDANT MORGAN’S  
MOTION FOR PROTECTIVE  
ORDER

Defendant Dick Morgan moves the Court for a protective order relieving him of the obligation of responding to discovery pending the outcome of his motion to dismiss. Dkt. 63.

**DISCUSSION**

The court has broad discretionary powers to control discovery. *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). Upon showing of good cause, the court may deny or limit discovery. Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while a dispositive motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922, 926 (9th Cir. 1989). Under a separate Report and Recommendation, the undersigned is recommending that defendant Morgan’s motion to dismiss be granted. Plaintiff is not opposed to dismissing his claims against Mr. Morgan because Mr. Morgan was named only due to his role as the Secretary of the Department of Corrections (“DOC”) and Mr. Morgan is no longer the DOC secretary. Dkt. 74.

1 Accordingly, it is **ORDERED**:

2 1. Defendant Morgan's motion for protective order (Dkt. 63) is **GRANTED**.

3 2. The Clerk is directed to send copies of this Order to plaintiff and counsel for  
4 defendants.

5 DATED this 11th day of August, 2017.

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9 Theresa L. Fricke  
10 United States Magistrate Judge