

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

GEORGE STEWART,

Plaintiff,

v.

TEXAS TECH UNIVERSITY HEALTH
SCIENCES CENTER, et al.,

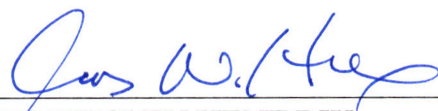
Defendants.

No. 5:23-CV-007-H

ORDER DENYING MOTION TO STAY

Before the Court is the UT Defendants' Unopposed Motion to Stay Discovery and Initial Disclosures Pending Resolution of Motion to Sever and Transfer and Motions to Dismiss. Dkt. No. 41. The motion is denied. First, even if this case is transferred to another court, discovery conducted up to that point will be beneficial to the parties. Second, parties routinely move to dismiss claims, and the Court will not stay the factual development of those cases pending resolution of dismissal motions. Indeed, in this district, staying discovery while a motion to dismiss is pending "is the exception rather than the rule." *Glazer's Wholesale Drug Co. v. Klein Foods, Inc.*, No. 3-08-CV-0774-L, 2008 WL 2930482, at *1 (N.D. Tex. July 23, 2008); *see also Ford Motor Co. v. U.S. Auto Club, Motoring Div., Inc.*, No. 3-07-CV-2182-L, 2008 WL 2038887, at *1 (N.D. Tex. Apr. 24, 2008). Thus, the UT Defendants' motion to stay (Dkt. No. 41) is denied.

So ordered on October 6, 2023.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE