

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CLERK OF DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS, FLORIDA

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FILED

ROGER G. CANUPP, JACOB MYERS,
LAWRENCE MCGEE, HUBERT DAVIDSON,
TYWAUN JACKSON, CHARLES DURDEN,
DANIEL FABIAN, BRUCE KRAMER,

Plaintiffs,

vs.

Case No. 2:04-cv-260-FtM-33DNF

LIBERTY BEHAVIORAL HEALTHCARE CORP.,
LUCY HADI, Secretary of the
Department of Children and Families,

Defendants.

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ORDER

This matter comes before the Court upon Defendant Hadi's and Defendant Liberty Behavioral Healthcare Corporation's Motions for Protective Order (Doc. #58 and #59) filed February 24, 2005 and February 24, 2005 respectively ("Defendants' Motions"). Defendants seek a protective order pursuant to Rule 26 of the Federal Rules of Civil Procedure to limit any discovery until the Court rules on Plaintiff's pending Motion for Class Certification (Doc. #27). Although Plaintiffs filed a Response to Defendants Motions for Protective Order (Doc. #60) on March 10, 2005, such Response is untimely. See Local Rule 3.01(b).

The Court has taken Plaintiff's pending Motion for Class Certification (Doc. #27) under advisement and an Order is forthcoming. The Court finds that at this stage of the proceeding good cause exists to limit discovery until such time as the Court

rules on Plaintiff's Motion for Class Certification. Washington v. Brown & Williamson Tobacco Corp., 959 F.2d 1566, 1571 (11th Cir. 1992).

ACCORDINGLY, it is hereby **ORDERED** that Defendant Hadi's and Defendant Liberty Behavioral Healthcare Corporation's Motions for Protective Order (Doc. #58 and #59) filed February 24, 2005 and February 24, 2005 are **GRANTED**.

DONE AND ORDERED at Fort Myers, Florida, on this 14th day of March, 2005.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

SA: hmk
Copies to: All Parties of Record