

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

**CASE NO. 04-22572-CIV-KING**

EMMA YAIZA DIAZ; JOHN A. LANMAN;  
AMERICAN FEDERATION OF LABOR  
AND CONGRESS OF INDUSTRIAL  
ORGANIZATIONS; AMERICAN FEDERATION  
OF STATE, COUNTY AND MUNICIPAL  
EMPLOYEES, AFL-CIO; FLORIDA  
PUBLIC EMPLOYEES COUNCIL 79,  
AFSCME, AFL-CIO; and SERVICE  
EMPLOYEES INTERNATIONAL  
UNION,

Plaintiffs,

v.

SUE M. COBB, Secretary of State of Florida;  
BRENDA SNIPES, Broward County Supervisor of  
Elections; JERRY HOLLAND, Duval County Supervisor  
of Elections; LESTER SOLA, Miami-Dade  
Supervisor of Elections; BILL COWLES, Orange County  
Supervisor of Elections; and ARTHUR ANDERSON, Palm  
Beach County Supervisor of Elections,

Defendants.

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**ORDER DENYING MOTION FOR STAY AND PROTECTIVE ORDER**

THIS CAUSE is before the Court upon Defendant Sola's Motion for Stay and

Protective Order (DE # 215), filed April 5, 2007.<sup>1</sup>

In the instant Motion, Defendant Sola moves to stay discovery until the Court rules on Defendant Sola's pending Motion for Judgment on the Pleadings (DE # 213), filed April 4, 2007.<sup>2</sup>

Pursuant to this Court's March 6, 2007 Scheduling Order (DE # 202), the discovery deadline in this case is October 30, 2007. This case has been pending before this Court since October 12, 2004, and Plaintiffs have only recently been able to proceed with discovery in anticipation of their long awaited day in court. The Court sees no reason to further delay Plaintiffs' efforts. This Court finds that Defendants have failed to demonstrate that "good cause" exists to warrant the entry of a protective order staying discovery pending the resolution of Defendants' Motion on the Pleadings.

Accordingly, after a careful review of the record, and the Court being otherwise fully advised, it is

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<sup>1</sup> On April 6, 2007, Defendant Supervisor of Duval County filed a Motion for Joinder (DE # 216). On April 10, 2007, Defendant Supervisor of Orange County and Defendant Supervisor of Palm Beach filed Motions for Joinder (DE # 219 and DE # 221). On April 12, 2007, Defendant Supervisor of Broward County filed a Motion for Joinder (DE # 224). On April 20, 2007 Plaintiffs filed a Response in Opposition to Defendants' Motion for a Stay and Protective Order.

<sup>2</sup> On April 9, 2007, Defendant Supervisor of Duval County filed a Motion for Joinder (DE # 217). On April 10, 2007, Defendant Supervisor of Orange County and Defendant Supervisor of Palm Beach filed Motions for Joinder (DE # 218 and DE # 220). On April 12, 2007, Defendant Supervisor of Broward County filed a Motion for Joinder (DE # 223).

ORDERED AND ADJUDGED that Defendants' Motion for Stay and Protective Order (**DE # 215, 216, 219, 221, and 224**) be, and the same is hereby, DENIED.

DONE and ORDERED in chambers at the James Lawrence King Federal Justice Building and United States Courthouse, Miami, Florida, this 25th day of April, 2007.



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JAMES LAWRENCE KING  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF FLORIDA

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