

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

BRADLEY PATTON, on behalf of himself)
and others similarly situated,)
)
Plaintiff,)
)
v.)
)
MIKE FITZHUGH,)
in his official capacity as Sheriff of)
Rutherford County, Tennessee;)
)
MELISSA HARRELL,)
in her official capacity as Clerk of the)
Rutherford County Circuit and)
General Sessions Courts;)
)
JAMES TURNER,)
in his official capacity as Circuit Judge)
for the Sixteenth Judicial District;)
)
BARRY TIDWELL,)
in his official capacity as Circuit Judge)
for the Sixteenth Judicial District; and)
)
HOWARD WILSON,)
in his official capacity as Circuit Judge)
for the Sixteenth Judicial District,)
)
Defendants.)

No. 3:23-cv-00637

**Judge Campbell
Magistrate Judge Holmes**

JOINT MOTION TO STAY DISCOVERY AND DISCLOSURES

COME NOW the Plaintiff and the Defendants, by and through counsel, and file this Joint Motion to Stay Discovery and Disclosures, and jointly move the Court for entry of an Order staying all discovery, including the exchanging of initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1), pending resolution of the Defendants' respective Motions to Dismiss.

As grounds for the entry of a stay on discovery and disclosures in this matter, the parties would state unto the Court that Defendants have raised the defenses of sovereign immunity and lack of standing. Both are threshold issues. *See Pearson v. Callahan*, 555 U.S. 223, 231-32 (2009) (as to immunity); *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 569 (1992) (as to standing). Discovery and disclosures should be stayed pending the outcome of these threshold issues. *See, e.g., Anderson v. Creighton*, 483 U.S. 635, 646 n.6 (1986).

The parties rely upon the Memorandum of Law jointly and contemporaneously filed in support herewith.

WHEREFORE, PREMISES CONSIDERED, the parties jointly move the Court for entry of a stay in this matter that stays all discovery, including the exchanging of initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1), pending resolution of the Defendants' respective Motions to Dismiss.

Respectfully submitted,

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent to the following via the District Court's electronic filing system and/or U.S. Mail, postage prepaid, to:

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this 13th day of November, 2023.

/s/ Nick C. Christiansen
NICK C. CHRISTIANSEN