

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DAVID T. BOSSET, et al.

Plaintiffs,

v.

Case No. 8:05-cv-1015-T-24MSS

INTERNAL REVENUE SERVICE,

Defendant.

ORDER

This cause comes before the Court on Defendant's Renewed Motion to Stay Proceedings or, in the Alternative, For a Protective Order. (Doc. No. 33). Plaintiffs oppose this motion. (Doc. No. 40).

Plaintiffs filed their amended complaint essentially alleging that Defendant has caused them injury by fraudulently applying the taxing laws and by violating the Privacy Act of 1975. (Doc. No. 27).


On December 2, 2005, Defendant filed a motion to dismiss, which is currently pending before the Court. (Doc. No. 32). In its motion, Defendant moves to dismiss Plaintiffs' amended complaint for lack of subject matter jurisdiction, lack of personal jurisdiction, and for failure to state a claim upon which relief can be granted. (Doc. No. 32). Plaintiffs have served Defendant with various subpoenas for depositions and for the production of documents. In order to avoid the burden and expense of discovery, Defendant moves this Court to either stay this case or stay discovery pending this Court's ruling on its motion to dismiss. Plaintiff Bosset opposes the motion.

Matters pertaining to discovery are committed to the sound discretion of the Court.

Patterson v. U.S. Postal Service, 901 F.2d 927, 929 (11th Cir. 1990). Accordingly, it is

ORDERED AND ADJUDGED that Defendant's Renewed Motion to Stay Proceedings or, in the Alternative, For a Protective Order (Doc. No. 33) is **GRANTED** to the extent that discovery is hereby **STAYED** pending this Court's ruling on Defendant's motion to dismiss.

DONE AND ORDERED at Tampa, Florida, this 8th day of January, 2006.


SUSAN C. BUCKLEW
United States District Judge

Copies to:
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Middle District of Florida

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Case Name: Bosset v. Internal Revenue Service et al
Case Number: 8:05-cv-1015
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Docket Text:

ORDER granting [33] Motion to Stay. Discovery in this case is hereby STAYED pending this Court's ruling on Defendant's motion to dismiss. Signed by Judge Susan C Bucklew on 1/8/2006. (bs)

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