

be stayed if possible as “inquiries of this kind can be peculiarly disruptive of effective government.” *Harlow v. Fitzgerald*, 457 U.S. 800, 817 (1982).

The same rationale holds true for Eleventh Amendment immunity. In fact, this Court has already stayed discovery in the *Rios v. Blackwell* case pending the outcome of the State’s motion to dismiss. That motion was premised, in part, upon the Defendant’s entitlement to Sovereign Immunity. In order to protect the Defendants’ constitutional right to avoid litigation in federal court, this Court should stay discovery pending the determination of the Taft’s and Blackwell’s motion to dismiss the Amended Complaint.

Respectfully submitted,

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Certificate of Service

This is to certify a copy of the foregoing was served upon all counsel of record by means of the Court's electronic filing system on this 1st day of December, 2005.

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