

FILED

UNITED STATES COURT OF APPEALS

SEP 17 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: CENTER FOR MEDICAL
PROGRESS; et al.,

No. 15-72844

CENTER FOR MEDICAL PROGRESS;
et al.,

D.C. No. 3:15-cv-03522-WHO
Northern District of California,
San Francisco

Petitioners,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA, SAN FRANCISCO,

Respondent,

NATIONAL ABORTION FEDERATION,
NAF,

Real Party in Interest.

Before: REINHARDT, TASHIMA, and RAWLINSON, Circuit Judges.

Petitioners' emergency motion for a stay of discovery pending a decision on the petition for writ of mandamus is GRANTED IN PART and DENIED IN PART. The proceedings in the District Court are stayed in part pending further order of this court for the limited purpose of providing this court with adequate time to review the petition for a writ of mandamus. During the pendency of this

stay, the district court shall not issue a preliminary injunction nor require the defendants to produce any discoverable materials or to respond to interrogatories or inquiries (including whether they intend to invoke the Fifth Amendment as to specific questions or document requests, or to explain the reasons therefor). This stay does not otherwise affect the district court's ability to take such actions as are ordinarily within its discretion, including ruling on legal issues bearing on discovery (such as the question whether the entity defendants may invoke the Fifth Amendment) or to adopt a discovery schedule for use should the petition for a writ of mandamus be denied.

The Clerk shall serve this order on the district court and District Judge William H. Orrick, III.