

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

MANUEL MATA;
Plaintiff;

$$\mathbf{V}_i$$

MATTHEW KRUEGER, in his individual capacity. §
 §
 Defendant. §

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ACTION NO. 4:26-CV-120-Y

**ORDER GRANTING IN PART DEFENDANT’S MOTION TO COMPEL A RULE 7(a)
REPLY AND TO STAY DISCOVERY**

Before the Court is Defendant Matthew Krueger's Motion to Compel a Rule 7(a) Reply and to Stay Discovery (ECF No. 16). Having considered the Motion, Plaintiff's response, the pleadings, and applicable law, the Court concludes that the Motion should be GRANTED IN PART as set forth below.

In accordance with Federal Rule of Civil Procedure 7(a)(7), *Schulte v. Wood*, 47 F.3d 1427 (5th Cir. 1995) (en banc), and the Court's authority to sequence qualified-immunity proceedings, it is ORDERED that:

1. Plaintiff shall file a reply under Federal Rule of Civil Procedure 7(a)(7) no later than twenty-eight (28) days after entry of this Order. The reply shall be tailored to Defendant's assertion of qualified immunity, shall fairly engage the claim-specific immunity allegations, and shall allege with particularity the material facts that, if true, would

establish a constitutional violation and overcome qualified immunity. The reply need not respond to unrelated denials or defenses in the Answer.

2. If the Court separately stays any claim under *Wallace v. Kato* or otherwise because of the pending municipal proceedings, Plaintiff's obligation to file a Rule 7(a)(7) reply concerning that claim is deferred until twenty-one (21) days after the stay of that claim is lifted. The deadline in paragraph 1 applies to all claims not separately stayed.
3. Defendant shall file any motion under Federal Rule of Civil Procedure 12(c), or other appropriate dispositive motion, based on qualified immunity no later than twenty-eight (28) days after Plaintiff files the Rule 7(a)(7) reply. Plaintiff's response and Defendant's reply shall be filed within the periods prescribed by the Local Civil Rules.
4. Discovery is STAYED pending resolution of any timely motion based on qualified immunity. This stay does not alter any party's obligation to preserve potentially relevant documents, electronically stored information, recordings, or other evidence.
5. If Defendant does not timely file a qualified-immunity motion, the discovery stay shall dissolve without further order. After the Court rules on any timely qualified-immunity motion, the Court will enter an appropriate scheduling order governing the remaining proceedings.

Defendant's Motion is otherwise DENIED.

SIGNED the ____ day of _____, 2026.

TERRY R. MEANS
UNITED STATES DISTRICT JUDGE