

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT

7

FOR THE DISTRICT OF ARIZONA

8

9

United States of America,

)

No. CV-10-2004-PHX-LOA

10

Plaintiff,

)

ORDER

11

vs.

)

12

\$50,800.00 in U. S. Currency,

)

13

Defendant.

)

14

Rodney Burnett-Johnson,

)

15

Claimant.

)

16

17

This matter arises upon the parties' Joint Motion to Vacate February 16, 2011 Scheduling Conference. (Doc. 25) Pending for ruling is Plaintiff's Motion to File First Amended Verified Complaint for Forfeiture *In Rem*, filed on January 31, 2011. (Doc. 23)

21

The Court and counsel had a candid conversation regarding the judicial management of this forfeiture action and the Court's desire to eliminate all unnecessary delay in the future. Counsel stipulate and agree to the dates set forth herein. Because the Complaint was filed on September 20, 2010, and relatively little progress on the merits of this case has occurred to date to bring about resolution, the October 4, 2010 scheduling order setting various deadlines will be vacated and the matter will be placed on a standard track for active judicial management.

28

There being no objection by Claimant to Plaintiff's Motion to File First

1 Amended Verified Complaint for Forfeiture *In Rem*,

2 **IT IS ORDERED** that Plaintiff's Motion to File First Amended Verified
3 Complaint for Forfeiture *In Rem*, doc 23, is **GRANTED**. Pursuant to LRCiv 15.1, as
4 amended on December 1, 2010, Plaintiff must file and serve the First Amended
5 Complaint, filed an attachment to doc. 23, on all parties under Rule 5 of the Federal Rules
6 of Civil Procedure **within five (5) business days** of the filing of the order granting leave
7 to amend. LRCiv 15.1. Claimant shall answer or otherwise respond pursuant to Rule 12
8 **within ten (10) business days** of the filing and service of the First Amended Verified
9 Complaint for Forfeiture *In Rem*.

10 **IT IS FURTHER ORDERED** that the parties' Joint Motion to Vacate
11 February 16, 2011 Scheduling Conference, doc. 25, is **GRANTED** and hereby resetting
12 the Rule 16(b) scheduling conference before the undersigned on **Tuesday, March 29,**
13 **2011, at 2:00 p.m.** in the undersigned's chambers, Suite 322, Third Floor, Sandra Day
14 O'Connor United States Courthouse, 401 West Washington Street, Phoenix, AZ. All
15 counsel shall be physically present. Counsel shall file with the Court, **within three (3)**
16 **business days** of the scheduling conference, a proposed Joint Case Management Report,
17 reflecting the results of their meeting and outlining their plan for resolution of this case.
18 All other orders in the December 15, 2010 order, not inconsistent with today's order, are
19 hereby **AFFIRMED**.

20 On the Court's own motion,

21 **IT IS FURTHER ORDERED** that the October 4, 2010 scheduling order
22 setting various deadlines is hereby **VACATED**. This case is set on a standard track for
23 active judicial management, consistent with Rule 1, FED.R.CIV.P., and the undersigned
24

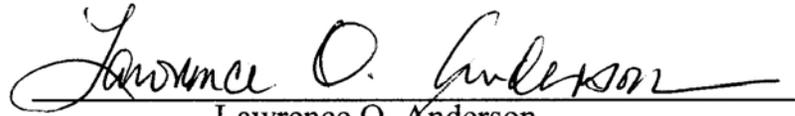
25
26 ///

27 ///

28 ///

1 Magistrate Judge's responsibilities under the Civil Justice Reform Act, 28 U.S.C. § 471 *et*
2 *seq.*

3 Dated this 16th day of February, 2011.

4
5 

6 Lawrence O. Anderson
7 United States Magistrate Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28