



1 calendar for 30 days to allow the parties to the motion to finalize their agreement and to file  
2 a Notice of Settlement with the Court.

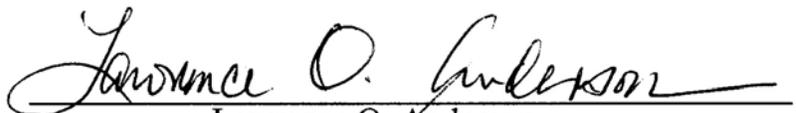
3 As noted above, Defendants Carol Haverstick, Erasmo Chavez, Patricia Piburn,  
4 Jerry McClain, and Thomas Garms filed the pending motion on April 29, 2010. Neither  
5 Plaintiff, nor any other party to this matter, ever responded to the motion. Over thirty days  
6 have passed since Defendants filed their Motion to Continue on Inactive Calendar. The  
7 passage of thirty days renders Defendants' request to continue this matter on the inactive  
8 calendar moot. Despite the passage of the thirty days which Defendants requested,  
9 Defendants have not filed the "Notice of Settlement and Motion to Dismiss" as indicated in  
10 their Motion. The docket in the United States Bankruptcy Court, District of Arizona, 2:09-  
11 bk-31573-RTB indicates that the bankruptcy proceeding remains active and a meeting of  
12 creditors has been continued to June 28, 2010.

13 Defendants have had ample time - more than the thirty-days they requested in their  
14 motion - to memorialize their alleged settlement agreement and to file a Notice of Settlement  
15 with this Court.

16 Accordingly,

17 **IT IS ORDERED** that the April 29, 2010 Motion of Defendants Carol Haverstick,  
18 Erasmo Chavez, Patricia Piburn, Jerry McClain, and Thomas Garms to Continue this Matter  
19 on the Inactive Calendar, docket # 94, is **DENIED** as moot because more than 30 days has  
20 passed since the Defendants filed their Motion.

21 DATED this 10<sup>th</sup> day of June, 2010.

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24 Lawrence O. Anderson  
25 United States Magistrate Judge  
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