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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RODNEY S. KOCH,

CASE NO. 1:09-cv-00116-SMS PC

Plaintiff,

ORDER VACATING PLAINTIFF’S MOTIONS  
TO COMPEL FROM COURT’S CALENDAR  
PENDING SETTLEMENT DETERMINATION

v.

DR. JEFFERY NEUBARTH, et al.,

(Docs. 36, 39, 41, and 54)

Defendants.

Plaintiff Rodney Koch filed motions to compel on April 28, 2010, May 19, 2010, June 7, 2010, and July 15, 2010. The motions are ready for resolution. Local Rule 230(l). However, the parties are engaged in settlement negotiations, and neither the Court nor the parties are well served by an expenditure of resources on discovery issues that will be rendered moot should the parties reach a settlement agreement. Therefore, in light of 28 U.S.C. § 476(a)(1), the Civil Justice Reform Act, Plaintiff’s motions to compel are DEEMED VACATED from the Court’s calendar until a determination is reached regarding settlement.<sup>1</sup>

IT IS SO ORDERED.

**Dated: January 26, 2011**

**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> The Court’s action is purely administrative and the parties need take no further action. If the parties are unable to reach settlement, the Court will issue its ruling on the motions to compel.