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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

In Re Ryan Uehling

Case No. 1: 13-mc-00022-LJO-BAM

Kelly Nelson,

**ORDER VACATING FINDINGS AND
RECOMMENDATIONS;**

Plaintiff,

**ORDER DIRECTING CLERK TO
CLOSE CASE**

Millennium Laboratories, Inc., *et al.*,

Defendants.

*Pending in the United States District Court for the
District of Arizona as Case No. 2: 12-cv-01301-SLG*

On May 29, 2014, this Court ordered Uehling to show cause as to why he should not be held in contempt of court for his refusal to obey the Court's June 27, 2013 Order. Doc. 85. This Court also issued findings and recommendations that Uehling be found in contempt of Court. *Id.*

On June 13, 2014, Millennium submitted a response to the Court's Order to show cause. Doc. 87. In its response, Millennium moved to withdraw with prejudice its motion to hold Uehling in contempt. *Id.* Millennium represents that certain claims in the underlying *Nelson v. Millennium* action have been dismissed which have mooted the need for further deposition testimony from Uehling. *Id.* Further, because Millennium's contempt motion was the only remaining request for judicial action in this matter, Millennium requests that this case be closed.

CONCLUSION

1
2 Having considered Millennium's withdrawal of its motion for an order to show cause, this
3 Court VACATES its Findings and Recommendations to hold Uehling in contempt of court.

4 Further, as there are no outstanding matters in this case, the Court directs the Clerk to close
5 this case.

6 IT IS SO ORDERED.

7 Dated: June 16, 2014

/s/ Barbara A. McAuliffe
8 UNITED STATES MAGISTRATE JUDGE