



1 Local Rule 302(c)(21) provides that magistrate judges shall conduct all appropriate pre-  
2 trial proceedings in “actions in which all the plaintiffs or defendants are proceeding in propria  
3 persona, including dispositive and non-dispositive motions and matters. Actions initially  
4 assigned to a Magistrate Judge under this paragraph shall be referred back to the assigned Judge if  
5 a party appearing in propria persona is later represented by an attorney in accordance with L.R.  
6 180.” E.D. Cal. L.R. 302(c)(21).

7 In light of the appearance of counsel on plaintiff’s behalf, neither all the plaintiffs nor all  
8 the defendants in this action are proceeding in propria persona. Therefore, further proceedings in  
9 this action, other than discovery motions and other matters appropriately referred to the  
10 undersigned under the court’s Local Rules, should now be noticed before the United States  
11 District Judge assigned to this action.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. This matter, including the pending motion to dismiss (ECF No. 4) is referred to the  
14 United States District Judge assigned to this action. See E.D. Cal. L.R. 302(c)(21).
- 15 2. All dates pending before the undersigned are VACATED. The moving defendants  
16 shall promptly re-notice the pending motion to dismiss for hearing before the assigned  
17 district judge.
- 18 3. Henceforth the caption on documents filed in this action shall be No. 2:13-cv-1746

19 JAM KJN.

20 IT IS SO ORDERED.

21 Dated: September 23, 2013

22   
23 \_\_\_\_\_  
24 KENDALL J. NEWMAN  
25 UNITED STATES MAGISTRATE JUDGE  
26  
27  
28