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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK MALIFRANDO,
Plaintiff,
v.
REAL TIME RESOLUTIONS, INC., et al,
Defendants.

No. 2:16-cv-0223 TLN GGH PS

ORDER

On November 29, 2016, this court issued Findings and Recommendations resolving a Motion to Dismiss that had been filed by defendant Real Time Resolutions, Inc. [“Real Time”] that recommended, among other things, that defendant Real Time would be required to respond to the amended complaint within thirty (30) days of an order adopting the findings and recommendations. ECF No. 33. Those Findings and Recommendations are still pending before the District Judge assigned to this case, so Real Time’s duty to answer has not ripened.

Thereafter, plaintiff filed a Motion for Leave to Amend his First Amended Complaint to add a new party defendant, ECF No. 35, to which Real Time filed an Opposition. ECF No. 36.

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In light of the pendency of the November 29, 2016 Findings and Recommendations, plaintiff's Motion will be vacated from the court's calendar to be re-calendared, or other appropriate action can taken, after the District Court issues its order.

IT IS SO ORDERED.

Dated: March 10, 2017

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE