

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Case No. 10-cv-00385-WJM-BNB

SBM SITE SERVICES, LLC, an Oregon limited liability company,

Plaintiff,

v.

JOHN GARRETT, an individual,

Defendant.

ORDER REGARDING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

This matter is before Court *sua sponte*. On January 12, 2011, Plaintiff filed a motion for preliminary injunction (Doc. # 173). On February 22, 2011, Defendant filed a response in opposition to Plaintiff's motion (Doc. # 234).¹

The Court requests that the parties consider agreeing to a partial consent to allow Magistrate Judge Boland to decide the motion for preliminary injunction by order instead of recommendation. See 28 U.S.C. § 636. Accordingly, the Court directs the parties to file, on or before February 28, 2011, a notice indicating whether they consent to Magistrate Judge Boland deciding Plaintiff's preliminary injunction motion (Doc. # 173) by order. If such consent is not obtained, the Court will in any event refer the motion to Magistrate Judge Boland for a recommended disposition.

¹ Defendant was granted a motion for extension of time to file his response. (Doc. ## 195, 201.)

THEREFORE, IT IS ORDERED:

- That the parties file, on or before February 28, 2011, a notice indicating whether they agree to a partial consent, under 28 U.S.C. § 636(c)(1), to allow Magistrate Judge Boland to decide Plaintiff's preliminary injunction motion (Doc. # 173) by order instead of recommended disposition.

Dated February 23, 2011.

BY THE COURT:

s/ William J. Martínez
United States District Judge