

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Chief Judge Wiley Y. Daniel

Civil Action No. 10-cv-00718-WYD-BNB

GERALD DECHANT,

Plaintiff,

v.

ANALYTICAL QUALITY ASSOCIATES, INC.; and  
MARK MINTTEER,

Defendants.

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**ORDER TO TRANSFER**

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THIS MATTER is before the Court on Defendants' Unopposed Motion to Transfer (docket #5), filed April 5, 2010. In the motion, Defendants request that I transfer venue to the District of New Mexico pursuant to 28 U.S.C. § 1404(a).

28 U.S.C. § 1404(a) provides that "[f]or the convenience of the parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. *Id.* This statute vests the Court with the discretion to transfer cases to other districts to prevent unnecessary inconvenience and expense. *Consumers Gas & Oil, Inc. v. Farmland Industries, Inc.*, 815 F. Supp. 1403 (D. Colo. 1992). Congress enacted the statute "as a 'federal housekeeping measure,' allowing easy change of venue within a unified federal system." *Chrysler Credit Corp. v. County Chrysler, Inc.*, 928 F.2d 1509, 1515 (10th Cir. 1991) (citing *Piper Aircraft Co. v. Reyno*, 454 U.S. 235, 254 (1981)). Although

Congress drafted section 1404(a) in accordance with the doctrine of forum non conveniens, "the statute was intended to revise rather than merely codify the common law." *Id.* District courts therefore enjoy greater discretion to transfer a case pursuant to section 1404(a) than to dismiss the action based upon the forum non conveniens doctrine. *Id.*

After carefully reviewing the file in the above-captioned case as applied to the relevant law, I find that the unopposed motion to transfer should be **GRANTED**.

Accordingly, it is

ORDERED that Defendants' Unopposed Motion to Transfer (docket #5) is **GRANTED** and this case is hereby **TRANSFERRED** to the District of New Mexico pursuant to 28 U.S.C. § 1404(a). It is

FURTHER ORDERED that the parties are relieved of their obligations to comply with Magistrate Judge Boland's April 9, 2010 Order Setting Rule 16(b) Scheduling Conference and Rule 26(f) Planning Meeting.

Dated: April 23, 2010

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Chief United States District Judge