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FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Apr 13, 2012

GREGORY C. LANGHAM, CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

WENDY J. CABRERA,

Plaintiff-Intervenor,

vs.

THE ORIGINAL HONEYBAKED
HAM COMPANY OF GEORGIA,
INC.,

Defendant.

CIV. 12-mc-14

11-CV-02560-MSK-MEH
(pending in the District of
Colorado)

ORDER OF REMITTANCE

Plaintiff filed a motion to quash and for a protective order relating to a third-party subpoena duces tecum served by defendant, or in the alternative for an order remitting plaintiff's motion to the District of Colorado for resolution. (Docket 1). Pursuant to Fed. R. Civ. P. 26(c) (advisory committee note) and as authorized by In re Digital Equipment Corporation, 949 F.2d 228 (8th Cir. 1991), the court finds the best interests of the parties are served if plaintiff's motion is remitted for resolution to the United States District Court for the District of Colorado in which the principal action is pending.

Accordingly, it is hereby

ORDERED that plaintiff's motion (Docket 1) is remitted for resolution to the United States District Court for the District of Colorado, the court in which the principal action is pending.

IT IS FURTHER ORDERED that the Clerk of Court shall promptly notify the Clerk of Court for the District of Colorado of the issuance of this order and all pleadings filed in the District of South Dakota.

Dated April 13, 2012.

BY THE COURT:


JEFFREY L. VIKEN
UNITED STATES DISTRICT JUDGE