

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-03063-RM-NYW

STEPHEN DIERKS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

DEX MEDIA, INC., a Delaware corporation,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Nina Y. Wang

This civil actions comes before the court on Defendant Dex Media, Inc.'s ("Defendant") Motion to Dismiss and/or Strike, filed on December 23, 2014 [#20] (the "Motion"). Pursuant to the Order Referring Case dated December 11, 2014 [#18], the Reassignment dated February 10, 2015 [#29], and the Memorandum dated December 23, 2014 [#22], the Motion is before this Magistrate Judge.

In light of the Parties' representations regarding the likely and impending settlement of this case (*e.g.*, #53), IT IS ORDERED that:

- (1) The Motion is DENIED WITHOUT PREJUDICE;
- (2) The Parties are directed to file appropriate voluntary dismissal papers should settlement be finalized, no later than **June 4, 2015**;
- (3) Should the Parties not reach a final settlement as anticipated, Defendant may re-file its Motion without prejudice.

DATED May 18, 2015.