

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01523-MJW

ROBERT W. SANCHEZ,

Plaintiff,

v.

MEGAN J. BRENNAN, *Postmaster General, U.S. Postal Service,*

Defendant.

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ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that:

- Plaintiff's proposed amended pleading (Docket No. 64) is hereby ACCEPTED FOR FILING and is now the operative complaint in this case;
- By operation of the amended complaint (Docket No. 64), and in light of Plaintiff's unequivocal representations that he does not seek to challenge the Pittman Class Action settlement (see Docket Nos. 58, 60, & 62), Court Two is hereby deemed VOLUNTARILY DISMISSED by Plaintiff under Fed. R. Civ. P. 41(a)(2);
- Judgment SHALL ENTER under Fed. R. Civ. P. 54(b) against Plaintiff Robert W. Sanchez and in favor of Intervenor Pittman Class (through Class Counsel John Mosby), as to any claim that can be construed as raising a challenge to the Pittman Class Action. Each party shall pay its own costs and fees; and
- Intervenor's Motion for Partial Summary Judgment (Docket No. 53) is DENIED AS MOOT.
- In light of the foregoing, it is not apparent whether the Court has subject-matter jurisdiction over claims subsumed into an administrative class-action proceeding. (See Docket No. 24, p.13 n.7.) Accordingly, the Court

*sua sponte* orders the parties to brief the matter of the Court's jurisdiction. Defendant's opening brief SHALL BE filed on or before March 18, 2016. Plaintiff's response brief SHALL BE filed on or before April 4, 2016. No reply will be permitted absent leave of court.

So ordered.

Dated: February 23, 2016  
Denver, Colorado

/s/ Michael J. Watanabe  
Michael J. Watanabe  
United States Magistrate Judge