

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

**J & J PRODUCTIONS, INC.,**

**Plaintiff,**

**vs.**

**PEDRO RAMIREZ, Individually and  
as the alter ego of EL PERICO, INC.,  
d/b/a EL PERICO MEXICAN  
RESTAURANT,**

**Defendants and Third-  
Party Plaintiff,**

**vs.**

**CRYSTAL CLEAR  
COMMUNICATIONS, INC.**

**Third-Party Defendant.**

**No. C15-0037**

**ORDER**

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On May 4, 2015, Plaintiff J & J Productions, Inc. (“J & J”) filed a complaint against Defendant Pedro Ramirez seeking damages for the alleged wrongful use of a television broadcast event. On June 22, Ramirez filed an answer and a third-party complaint against Crystal Clear Communications, Inc. (“Crystal Clear”). On August 28, the Clerk of Court docketed a default entry against Crystal Clear.

On September 9, the Court adopted a proposed Scheduling Order and Discovery Plan submitted by J & J and Ramirez. Also at that time, the case was referred to me for the conduct of all further proceedings, in accordance with 28 U.S.C. § 636(c) and the consent of the parties. I then set a telephonic hearing on September 17 to establish a firm

trial date. Neither attorney appeared at the time of hearing, and the Court was advised that J & J's attorney had been suspended from the practice of law.

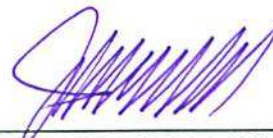
On October 14, 2015, Crystal Clear filed a motion to set aside the default entry. No resistances having been filed to the motion, I granted the motion on November 3 and set aside the default entry against Crystal Clear. Crystal Clear has not yet filed an answer or other responsive pleading.

Referral to a magistrate judge pursuant to 28 U.S.C. § 636(c) requires the consent of all parties. Because Crystal Clear has not consented to a magistrate judge, the Order of Reference by Chief Judge Linda R. Reade on September 9, 2015 is no longer effective. Furthermore, the Scheduling Order does not refer to deadlines applicable to Crystal Clear. Accordingly, the parties are directed to meet and confer for the purpose of submitting a proposed scheduling order which includes the signatures of counsel for all parties. Specifically, the proposed scheduling order must address the question of whether the parties unanimously consent to referral to a United States magistrate judge pursuant to 28 U.S.C. § 636(c)(3).

### ORDER

IT IS THEREFORE ORDERED that not later than **November 13, 2015**, the parties must submit (not file) a proposed scheduling order and discovery plan signed by counsel for all three parties.

DATED this 4th day of November, 2015.



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JON STUART SCOLES  
CHIEF MAGISTRATE JUDGE  
NORTHERN DISTRICT OF IOWA