## UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Mortgage Electronic Registration Systems, Inc., as nominee for LoanCity, formerly known as LoanCity.com, Civil No. 09-2099 (DWF/SRN)

Plaintiff.

v.

## ORDER AND MEMORANDUM

Jimmy Philibert, United States of America, John Doe, Mary Roe, XYZ Corporation, and ABC Partnership, whose true names are unknown to Plaintiff,

Defendants.

Jeffrey A. Scott, Esq., and Katherine M. Melander, Esq., Coleman Hull & van Vliet, PLLP, counsel for Plaintiff.

Roylene A. Champeaux, Assistant United States Attorney, United States Attorney's Office, counsel for Defendant United States of America.

This matter is before the Court pursuant to the consent of the parties (Doc. No. 6) to have the above-entitled matter referred to the assigned United States Magistrate Judge to conduct all proceedings in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Based upon the submissions of the parties and the Court having reviewed the contents of the file, along with its procedural history, as well as having consulted with United States Magistrate Judge Susan Richard Nelson, and being otherwise duly advised in the premises, the Court hereby enters the following:

**ORDER** 

1. The Court respectfully declines to refer the matter to the United States

Magistrate Judge for the purpose of conducting all proceedings, including dispositive

motions and any trial of the matter.

Dated: September 2, 2009

s/Donovan W. Frank

DONOVAN W. FRANK

United States District Judge

**MEMORANDUM** 

The Court has respectfully declined to refer the above-entitled matter to

United States Magistrate Judge Susan Richard Nelson. The reason the Court has declined

to issue an order of reference is because the undersigned is dealing with or has recently

dealt with similar cases with similar issues. Consequently, absent further order of the

Court, all dispositive matters shall remain before the undersigned. If the concern of the

parties is minimizing delay and moving the case forward, be it on the Court's motion

calendar or for trial, the Court will ensure that no unnecessary delays occur.

For these reasons, the Court has respectfully declined to refer the matter to

United States Magistrate Judge Susan Richard Nelson.

D.W.F.

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