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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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PAUL MARTINEZ,
Plaintiff,

vs.

VENTANA DEVELOPMENT FUND,
LLC, a Nevada limited liability company;
VENTANA DEVELOPMENT, INC.,
a Nevada corporation; KERRY ROGERS,
individually
Defendants.

2:07-CV-00565-PMP-GWF

ORDER

Before the Court for consideration is Defendant Kerry Rogers' fully briefed Motion to Quash Bench Warrant (Doc. #113), filed on May 14, 2010. The Court finds that Defendant's motion should be granted.

Specifically, the bench warrant for Defendant Rogers was issued on January 26, 2009 as a result of his failure to comply with Orders of this Court that he appear at a discovery deposition. Subsequently, the Court granted Plaintiff's Motion to Strike Defendant Rogers' pleadings and entered default judgment against Defendant Rogers. As a result the basis for issuing the original arrest warrant in this case no longer exists and the warrant must be quashed.

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1 **IT IS THEREFORE ORDERED** that Defendant Kerry Rogers' Motion
2 to Quash Bench Warrant (Doc. #113) is **GRANTED** and the bench warrant
3 issued on January 26, 2009 by this Court is hereby quashed.
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5 DATED: May 24, 2010.

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PHILIP M. PRO
9 United States District Judge
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