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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LEWIS E. GRAHAM II and
FLOWORKS, INC.,

Defendants.

2:09-CV-250 JCM (LRL)

ORDER

Presently before the court are the report and recommendation of United States Magistrate Judge Lawrence R. Leavitt. (Doc. # 45).

Upon reviewing defendant Graham's status report (doc. #35) and updated status report (doc. #38), motion to extend time on behalf of all defendants (doc. # 36), addendum to the motion to dismiss (doc. #39), and plaintiff's opposition to the motion to dismiss and/or extend time (doc. #43), Judge Leavitt recommended that defendant Graham's motion to extend time on behalf of all defendants be denied and defendant Graham's request for dismissal of the case also be denied. In his report and recommendation, Judge Leavitt stated that defendant Graham failed to demonstrate good cause and noted that a corporate defendant must be represented by licenced counsel. Judge Leavitt further noted that the request for dismissal appears to be based on a willingness to enter upon settlement discussion. Accordingly, Judge Leavitt advised the parties that the court encourages both sides to engage in settlement discussions.

