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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

2:09-CV-250 JCM (LRL)

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LEWIS E. GRAHAM II and
FLOWORKS, INC.,

Defendants.

ORDER

Presently before the court is defendant Lewis E. Graham, II’s motion for speedy trial. (Doc. #58). Plaintiff, the Securities and Exchange Commission, did not file an opposition.

Defendant’s motion is moot. Shortly after defendant filed his motion, the court set a jury trial for February 6, 2012. (Doc. #61). Further, the parties have engaged in settlement discussions which have allegedly resulted in a settlement agreement. (Docs. #73, #76, and #79). According to status reports filed by plaintiff, the Securities and Exchange Commission “requires additional time” to approve the agreement because it “requires an analysis of [defendant’s] financial condition.” (Doc #79). If the Securities and Exchange Commission fails to approve the settlement agreement, the parties will go to trial as scheduled on February 6, 2012.


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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Lewis E. Graham, II's motion for speedy trial (doc. #58) be, and the same hereby is, DENIED as moot.

DATED this 8th day of December, 2011.


UNITED STATES DISTRICT JUDGE