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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARY KAY PECK, an individual,)	
)	
Plaintiff,)	Case No. 2:09-CV-00872
)	
vs.)	<u>ORDER</u>
)	
THE CITY OF HENDERSON, <i>et al.</i> ,)	
)	
Defendants.)	


Presently before the court is defendant City of Henderson’s (hereinafter “defendant”) motion for a ruling or, in the alternative, to set a hearing (Doc. #37) regarding defendant’s motion for a judgment on the pleadings, filed on August 13, 2009. Plaintiff Mary Kay Peck (hereinafter “plaintiff”) filed a response (Doc. #39) on August 18, 2009 indicating she had no objection to defendant’s motion.

The motion defendant requests this court to set for hearing is defendant’s motion for a judgment on the pleadings (Doc. #18), filed on June 25, 2009. Plaintiff filed her response (Doc. #26) to defendant’s motion (Doc. #18) on July 23, 2009. Defendant replied (Doc. #34) on August 13, 2009.

This court has set defendant’s motion (Doc. #18) for a hearing on October 15, 2009 at 10:00 a.m. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant’s motion for a ruling or, in the alternative, to set a hearing (Doc. #37) be, and the same hereby is, DENIED as moot.

DATED this 5th day of October, 2009.


UNITED STATES DISTRICT JUDGE