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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

2:09-CV-1622 JCM (RJJ)

UNION PACIFIC RAILROAD
COMPANY,

Plaintiff,

v.

GUARD DOG HEAVEN, LLC,

Defendant.

ORDER

Presently before the court is plaintiff Union Pacific Railroad Company’s second renewed motion for summary judgment. (Doc. #106). Defendant Guard Dog Heaven has not yet responded.

The dispositive motion deadline in this case was originally set for April 30, 2012. On that date, plaintiff filed a motion seeking an extension of the deadline. (Doc. #102). On May 8, 2012, the magistrate judge entered an order granting the extension. (Doc. #103). Subsequently, defendant filed an objection to the order and motion, arguing that the deadline should not have been extended. (Doc. #104).

On May 25, 2012, the undersigned referred defendant’s objection to the magistrate judge to determine if, in light of defendant’s objection, the order extending the motion deadline should be vacated. (Doc. #105). The objection is still pending.

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James C. Mahan
U.S. District Judge

1 Rather than wait for the magistrate judge to issue a final ruling on whether an extension of
2 the motion deadline is appropriate, plaintiff filed the present motion. The court will deny the motion
3 without prejudice, pending a ruling by the magistrate judge on the underlying objection filed by
4 defendant.

5 IT IS SO ORDERED.

6 DATED June 5, 2012.

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UNITED STATES DISTRICT JUDGE