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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

5 FEDERAL TRADE COMMISSION,

6 Plaintiff,

7 vs.

8 AMG SERVICES, INC., *et al.*,

9 Defendants.

Case No. 2:12-cv-536-GMN-VCF

AMENDED ORDER

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11 Five motions are before the court: (1) Defendants' motion for a protective order (#617); (2) the
12 Commission's motion to strike (#618); (3) Objector First International Bank & Trust's motion to quash
13 (#624); (4) Defendants' motion to quash (#626); and (5) Defendants' motion to amend their motion for a
14 protective order (#627). For the reasons stated below, all five motions are denied as moot.

15 On July 16, 2014, the Honorable Gloria M. Navarro, Chief U.S. District Judge, ruled that phase
16 two of this litigation "shall commence on the date of this Order." (*See* Order (#629) at 18:9–10). Four of
17 the motions (#617, #618, #626, #627) pending before the court were filed before Judge Navarro entered
18 her order. These four motions also dispute whether phase two has commenced and, as a result, seek to
19 prevent or compel discovery on that basis. The parties' motions are now moot. Phase two has
20 commenced. Discovery must proceed.

21 The fifth motion (#624)—which seeks to quash the FTC's subpoena because it violates rule 45's
22 100-mile rule—is also denied as moot. Under Rule 45(d)(2)(B)(i), "[i]f an objection is made" to a
23 subpoena, "the serving party may move the court . . . for an order compelling production." Here, First
24 International Bank & Trust served the FTC with a written objection. (*See* Doc. #624 at 22:2). Under
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1 Rule 45, First International Bank & Trust's written objection mooted the need to file the instant motion
2 to quash.

3 ACCORDINGLY, and for good cause shown,

4 IT IS ORDERED that Defendants' motion for a protective order (#617) is DENIED as moot.

5 IT IS FURTHER ORDERED that the Commission's motion to strike (#618) is DENIED as
6 moot.

7 IT IS FURTHER ORDERED that Objector First International Bank & Trust's motion to quash
8 (#624) is DENIED as moot.

9 IT IS FURTHER ORDERED that Defendants' motion to quash (#626) is DENIED as moot.

10 IT IS FURTHER ORDERED that Defendants' motion to amend their motion for a protective
11 order (#627) is DENIED as moot.

12 IT IS SO ORDERED.

13 DATED this 28th day of July, 2014.

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17 CAM FERENBACH
18 UNITED STATES MAGISTRATE JUDGE
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