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2 **UNITED STATES DISTRICT COURT**  
3 **DISTRICT OF NEVADA**

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6 FRANCES M. WEEKS-ANDEREGG,

7 Plaintiff,

2:13-cv-00610-GMN-VCF

8 vs.

**MINUTE ORDER**

9 UNITED STATES OF AMERICA, *et al.*,

10 Defendants.  
11

12 On September 30, 2013, Robert Cardenas filed Plaintiff's Unopposed Motion to Vacate Hearing  
13 and Stay Discovery. (#28).

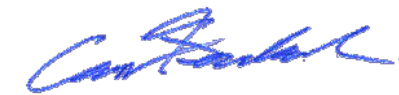
14 Having reviewed this motion and the other motions pending in this matter, I find that vacating  
15 the hearing set on Defendant's Motion to Stay Discovery (#7), presently set for 2:00 p.m. on Friday,  
16 October 4, 2013, in Courtroom 3D, is not in the best interests of the parties or the court.

17 Accordingly, Plaintiff's Unopposed Motion to Vacate Hearing and Stay Discovery is DENIED.

18 Counsel must personally appear at Friday's hearing and be prepared to present arguments  
19 regarding how this case should proceed in light of:

- 20 1. 28 U.S.C. § 2679(d)(5) which addresses the consequences of dismissal for failure to  
21 first present a claim pursuant to section 2675(a); and  
22 2. Section II B of the U.S. Supreme Court's opinion in *Osborn v. Haley*, 549 U.S. 225,  
23 127 S. Ct. 891, 166 L.ed.2d 819(2007).

24 DATED this 1st day of October, 2013.



25 CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE