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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SEAN MOOTI,

Plaintiff(s),

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant(s).

Case No. 2:17-cv-02298-JAD-NJK
ORDER

Pending before the Court is a notice of Plaintiff’s death. Docket No. 15. Any motion to substitute shall be filed within 90 days. *See* Fed. R. Civ. P. 25(a)(1). If such motion is not made, this case is subject to dismissal. *See id.*

In the interim, and especially given that Plaintiff’s next of kin expressly declined to continue this litigation, the Court will **DENY** without prejudice the pending motions for summary judgment. Docket Nos. 13-14. In the event substitution is permitted, the parties may file a stipulation to reactivate those motions to the extent no further briefing or information is required. In the event substitution is permitted but no such stipulation is filed, a renewed motion to reverse or remand shall be filed within 30 days of the substitution order and shall be briefed pursuant to the schedule outlined in Docket No. 10.

IT IS SO ORDERED.
DATED: March 8, 2018



NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE