UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

JOHN S. OLAUSEN,)	3:13-CV-0388-MMD (VPC)
Plaintiff,)	MINUTES OF THE COURT
VS.)	October 2, 2014
SGT. MURGUIA, et al.,)	
Defendants)))	
PRESENT: THE HONG	DRABLE VALERIE I	<u>P. COOKE,</u> U.S. MAGISTRATE JUDGE
DEPUTY CLERK:	LISA MANN	REPORTER: NONE APPEARING
COUNSEL FOR PLAINTI	FF(S): <u>NONE APPE</u>	ARING
COUNSEL FOR DEFEND	PANT(S): <u>NONE API</u>	PEARING

MINUTE ORDER IN CHAMBERS:

On September 25, 2014, defendants withdrew their motion for summary judgment (#31) without prejudice and with leave to refile at a later date (#84). Therefore, the court orders as follows:

- 1. The report and recommendation issued by the Magistrate Judge (#65) on July 29, 2014 is hereby **RESCINDED** in its entirety **as moot**;
- 2. The court will issue a report and recommendation on plaintiff's motion for partial summary judgment (#48) based on the briefing already filed with the court unless, within ten days, the plaintiff files a notice of withdrawal without prejudice and with leave to refile a dispositive motion at a date to be set by the court;
- 3. Plaintiff's motion for a hearing (#49) is **DENIED as moot**;
- 4. Plaintiff's motion for leave to file additional affidavit in support of response to motion to dismiss (#64) is **DENIED as moot**;
- 5. Plaintiff's motion that the action be stayed for a period of ninety days to allow the parties an opportunity to settle (#69) is **DENIED as moot**;
- 6. Defendants' motion to strike plaintiff's reply to defendants' opposition to objection to report and recommendation (#70) is **DENIED** as moot;
- 7. Plaintiff's motion for leave to file a reply to opposition to objection to report and recommendation (#72) is **DENIED as moot**;
- 8. Plaintiff's motion to strike defendants' motion to dismiss (#31) is **DENIED as** moot:
- 9. Plaintiff's objection regarding the report and recommendation (#75) is **DENIED** as moot:

- 10. Plaintiff's motion to defer ruling upon dispositive motion (#76) is **DENIED as moot**;
- Pursuant to the court's order #83, defendants shall have to and including **Friday**, **October 17**, **2014** to file an opposition to plaintiff's motion leave to amend complaint (#73); thereafter, plaintiff shall have to and including **Monday**, **October 27**, **2014** to file a reply; and
- 12. The court will issue a new date to file dispositive motions following the ruling on the plaintiff's motion to amend.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK		
By:	/s/	
	Deputy Clerk	