

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

ROLF ERIK CARLSON,

Plaintiff,

v.

Civ. No. 17-784 RB/GJF

UNITED STATES DEPARTMENT OF ENERGY,

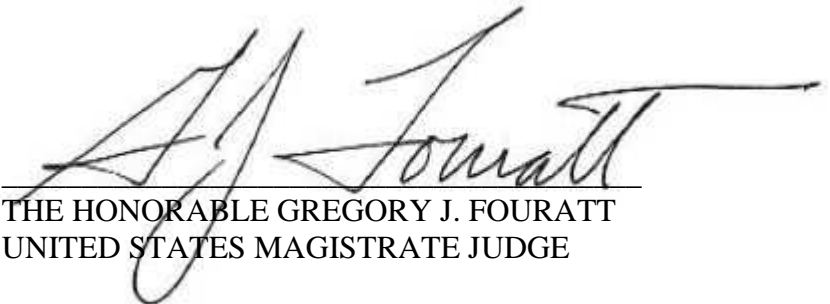
Defendant.

ORDER COMMENCING DISCOVERY

On March 8, 2018, the Court filed an “Order Setting Pretrial Deadlines and Briefing Schedule” (“Order”). ECF No. 20. In pertinent part, the Order provided for “a 120-day discovery period to commence upon either of two events: (1) the denial by the presiding judge of the United States’ motion to dismiss; or (2) the filing by Plaintiff of an amended complaint that withstands any further motion(s) to dismiss.” *Id.* at 1. On October 26, 2018, the Honorable Robert C. Brack issued an order [ECF No. 42], denying in part the United States’ Motion to Dismiss [ECF No. 22] and concluding that a single claim in the operative version of Plaintiff’s complaint can go forward.

Consequently, per this Court’s previous Order, the parties are re-advised that the 120-day discovery period commenced on October 26, 2018, the filing date of Judge Brack’s order.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE