

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:09CV12-RLV-DSC**

<b>ROBERT L. REININGER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>AZDEL, INC. RETIREMENT PLAN,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**ORDER**


**THIS MATTER** is before the Court on “Plaintiff’s Motion for Permission to Conduct [Early] Discovery” (document #12). In the subject Motion, Plaintiff sought leave to conduct discovery during the pendency of Defendant’s “Partial Motion to Dismiss” (document #5).

On March 1, 2011, the Honorable Richard L. Voorhees granted Defendant’s Partial Motion to Dismiss. Accordingly, “Plaintiff’s Motion for Permission to Conduct [Early] Discovery” (document #12) is **DENIED AS MOOT**.

The parties are **ORDERED** to conduct and certify the Initial Attorneys’ Conference as required by the Local Rules.

**SO ORDERED.**

Signed: March 7, 2011

	
David S. Cayer	
United States Magistrate Judge	