

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PLUMBERS & PIPEFITTERS LOCAL
UNION NO. 162, et al.,

Plaintiffs,

:

Case No. 3:12-cv-121

-vs-

:

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

PRECISION PIPING, INC.,

Defendant.

ORDER

This case is before the Court on Plaintiff’s Motion for Relief from Order Dismissing Case under Fed. R. Civ. P. 60(b)(Doc. No. 15).

The Motion is DENIED as moot. The Minute Entry on the docket which reflects that the “case” was dismissed for want of prosecution is in error. In fact, when Plaintiff’s counsel failed to appear for the debtor’s examination scheduled for 2:00 p.m. on August 21, 2013, the Magistrate Judge ordered the judgment debtor proceeding dismissed for want of prosecution and the docketing clerk’s minutes are in error. The case is not dismissed for want of prosecution; the judgment debtor proceedings will remain vacated because they do not appear to be necessary at this point.

August 22, 2103.

s/ *Michael R. Merz*
United States Magistrate Judge