

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

THE SEMEX ALLIANCE,	:	
Plaintiff,	:	Case No. 3:14-mc-6
v.	:	Related Case No. 3:14-cv-87
ELITE DAIRY GENOMICS, LLC	:	
Defendant.	:	JUDGE WALTER H. RICE

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ORDER OVERRULING AS MOOT THE MOTION TO QUASH  
SUBPOENAS FILED BY JEFF BUTLER (DOC. #1); TERMINATION  
ENTRY

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Jeff Butler was served with subpoenas in Case No. 3:14-cv-87, and sought to quash them in this Court on April 15, 2014. Doc. #25 of Case No. 3:14-cv-87. The Court overruled Mr. Butler's Motion to Quash without prejudice April 18, 2014, because, under Rule 45(d)(3) of the Federal Rules of Civil Procedure, he was required to challenge the subpoenas in "the court for the district where compliance is required," namely, the United States District Court for the Northern District of Illinois. Doc. #27 of Case No. 3:14-cv-87.

On April 21, 2014, Mr. Butler re-filed the Motion to Quash in the Illinois district court, and filed a Motion to Transfer to the matter to this Court under Rule 45(f). Doc. #4. The next day, April 22, 2014, Judge Chang sustained Mr.

Butler's Motion to Transfer, and ordered the matter transferred to this Court. Doc. #10.

On May 6, 2014, two weeks after Judge Chang's order, the case was transferred; or rather, Judge Chang's order to transfer the case was finally carried out. There has been no explanation for the delay from the Clerk of this Court or from the Clerk of the United States District Court for the Northern District of Illinois. In the meantime, the parties settled the underlying case, which was terminated on April 25, 2014. Mr. Butler's Motion to Quash (Doc. #1) is, therefore, OVERRULED as moot, and the Court further ORDERS the Clerk to terminate the above-captioned miscellaneous case, which was only opened under Fed. R. Civ. P. 45(f) in order to address Mr. Butler's motion.

Date: May 6, 2014



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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE