

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CIVIL MINUTES

Case No. CV09-863-HU

Date: **March 23, 2011**

Case Title: **United States Department of Labor v. R.M. International, Inc. et al**

Presiding Judge: **Anna J. Brown**

Courtroom Deputy: **Bonnie Boyer**

Tele: (503) 326-8053

e-mail: Bonnie_Boyer@ord.uscourts.gov

DOCKET ENTRY: Order

The Findings and Recommendations (#55) have been referred (#56) to this judicial officer. In reviewing Defendants' Amended Motion (#60) to Stay and to Extend Time for Filing Objections to Magistrate's Findings and Recommendations, the Court has also reviewed Defendants' Motion (#57) to Stay and to Consolidate in which Defendants seek consolidation of this case with 11-CV-129-HZ and 10-CV-1363-HU. The Court, however, notes that Defendants or their related parties have not filed similar motions to consolidate in the two other cases. Before setting a deadline for Plaintiff to respond to the Motion (#57) to Stay and to Consolidate in this matter, the Court requires Defendants or their related parties to file similar motions in the other matters. Accordingly, the Court will set a briefing schedule on Motion #57 in this case once appropriate consolidation motions are filed (after meaningful conferral) in the other matters.

With respect to Defendants' Amended Motion (#60) to Stay and To Extend Time for Filing Objections to Magistrate's Findings and Recommendations, the Court concludes there is not any good reason to delay resolution of the underlying Motion for Summary Judgment (#24), which is the subject of the Findings and Recommendations (#55) and that the question of consolidating this case is completely unrelated to this Court's review of the Findings and Recommendations. Accordingly, the Court **DENIES in part** Motion #60 to the extent Defendants seek to extend the time to file any Objections to the Findings and Recommendations during a period wherein consolidation of the case may be considered. Especially in light of the period of time Defendants' Motion for Summary Judgment (#24) has been pending and confident Defendants are very familiar with the issues in the Motion for Summary Judgment and their proposed resolution in the Findings and Recommendations, the Court extends the time to file Objections only briefly -- to **Friday, March 25, 2011** -- and, therefore, **GRANTS in part** Motion #60. Plaintiff's response to any Objections are due **Tuesday, March 29, 2011**, when the Court will take the Findings and Recommendations and any Objections under advisement. To the extent Motion #60 seeks an order staying this action, the Court **DENIES** the Motion because the consolidation issue will be fully considered in the resolution of Defendants original Motion #57.

IT IS SO ORDERED.

cc: () All counsel

DOCUMENT NO: _____

Civil Minutes
Hon. Anna J. Brown

(Civil CaseMgt MO.wpd)