

Vega v. Lantz, 04 CV 1215 (DFM) – ELECTRONIC ORDER

9/29/10 – Settlement discussions in this case have been protracted and complex; at times there have been delays beyond the control of the parties here. (See. e.g., Dkts. ##116, 118, 131, 134, 138, 195, 198-202).

After Magistrate Judge Donna F. Martinez's thirty-four page Ruling on Defendants' Motion for Summary Judgment, filed September 25, 2009 (Dkt. #188), only five claims remain in this lawsuit (at 2-4, 29-30, 30-31, 31-32, 32, 32-33, 33-34), summary judgment having been granted for defendants on the other claims (at 2-4, 7-8, 9-13, 13-23, 24-29, 33). The five claims that remain in this lawsuit are: cancellation of Jumah; mishandling of the Quran; circumcision; purchase of miswak (a special tooth stick used by Muslims); and prayer oils. On October 4, 2009, defendants filed their Motion for Reconsideration (Dkts. ##190-91; see also Dkts. ##192, 194, 197).

It appears that through the prolonged settlement process, four of the issues have been resolved, with only one issue to be litigated before Magistrate Judge Martinez. Despite frequent telephone calls to counsel by these Chambers, counsel have not conveyed to this Magistrate Judge whether they want to proceed by cross-motions for summary judgment, or a one-day trial, before Judge Martinez on this sole remaining issue.

Rather than keeping this file open indefinitely, the file is now administratively closed, subject to immediate reopening, **once** counsel decide how they wish to proceed in the future so that this six year old lawsuit can be brought to an end. Counsel should contact this Magistrate Judge's Chambers to arrange an impromptu telephone conference.