
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

JEFFREY VERNON MERKEY,

Plaintiff(s),

v.

BRUCE PERENS, et al.,

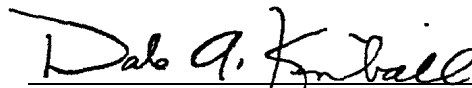
Defendant(s).

ORDER REOPENING CASE

Case No. 2:05CV521DAK

On October 24, 2005, Plaintiff filed a Motion to Reopen this case for enforcement proceedings. Plaintiff voluntarily dismissed this case on September 27, 2005, but seeks to have it reopened to enforce the Court's Order sealing the Novell Settlement Agreement that was attached as Exhibit 2 to Plaintiff's Verified Complaint. Although the court notes that its Order sealing Exhibit 2 was directed at the Clerk of Court and not third parties, the court grants Plaintiff's motion to reopen the case in order to allow the issue regarding whether the order should also apply to third parties to be determined. With the reopening of the case, the court reinstates the prior referral to Magistrate Judge Alba pursuant to 28 U.S.C. § 636(b)(1)(B).

DATED this 27th day of October, 2005.



DALE A. KIMBALL

United States District Judge