

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES BRADLEY,)
)
Plaintiff,)
v.)
) Case No. 1:13cv308-WHA
ARMY FLEET SUPPORT, LLC, etc.,)
) (wo)
Defendants.)

ORDER

Upon consideration of the briefing in support of and in opposition to the Motion for Summary Judgment, it appears to the court that additional briefing is required on two issues. The Defendant, Army Fleet Support, LLC (“AFS”), states in its Reply that the Plaintiff suggests that AFS has conceded that his absences should have qualified for FMLA treatment (Doc. #43 at p.2), but AFS does not directly address whether the absence did in fact qualify for FMLA treatment. Also, in the Reply, AFS argues, apparently for the first time, that the Plaintiff did not raise certain issues of contract interpretation at his grievance hearing or request arbitration.

Accordingly, it is ORDERED as follows:

1. The Defendant is given until **October 1, 2014** to file a supplemental brief which addresses whether it concedes that the Plaintiff’s absences qualified for FLMA treatment and, if the Defendant does not so-concede, the effect of that on the Plaintiff’s claims in this case.
2. The Plaintiff is given until **October 1, 2014** to file a supplemental brief which addresses the Defendant’s argument regarding grievance and arbitration as stated on page 10 of the Reply (Doc. #43).

Done this 24th day of September, 2014

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE