

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

B.I., individually and on behalf of her son,)	
B.I.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO. 2:10-cv-621-WHA
)	(WO)
Montgomery County Board of Education,)	
et al.,)	
)	
Defendants.)	

ORDER

This case is before the court on Plaintiffs’ Motions to Mediate (Doc. # 44) and to Dismiss (Doc. # 45).

Mandatory mediation is not available in this court, and must be by the consent of all parties. Therefore, in consideration of these Motions and other matters outstanding in this case, it is hereby ordered as follows:

1. The Motion to Mediate is Denied.

2. The time allowed for retaining another attorney having passed, the Motion to Withdraw (Doc. # 30) is Granted, and Tyrus B. Sturgis is allowed to withdraw as attorney for the Plaintiffs.

3. The Motion to Dismiss is Granted, and this case is Dismissed without prejudice, with costs taxed as paid. Plaintiffs are free to seek voluntary mediation out of court and address concerns regarding FAPE through the school’s IEP team.

4. All other outstanding motions are denied as moot.

Done this 29th day of September, 2011.

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