

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

ROBERT COLLIER JR.,	}	
	}	
Plaintiff,	}	
	}	CIVIL ACTION NO.
v.	}	2:15-CV-1006-WMA
	}	
HARLAND CLARKE CORP.,	}	
	}	
Defendant.	}	

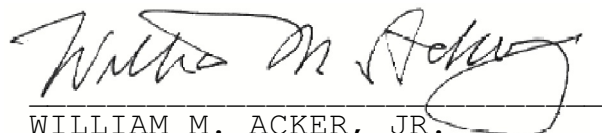
MEMORANDUM OPINION AND ORDER

This court stayed the above-entitled action pending a decision of the Eleventh Circuit in *Savage v. Secure First Credit Union*, Case No. 15-12704 (11th Cir.). On May 25, 2016, the Eleventh Circuit issued an Opinion in *Savage* and subsequently on August 4, 2016 issued its mandate.

In light of the Eleventh Circuit's opinion plaintiff's motion to lift stay is **GRANTED**, the stay is **LIFTED**, and defendant's motion to dismiss is **DENIED** to the extent Federal Rule of Civil Procedure 8 permits alternative pleading. However, the parties should take note of this court's opinion in *Jones v. Allstate Insurance Co.*, 2:14-cv-1640-WMA, August 12, 2016, and recognize that defendants are permitted to raise at summary judgment their argument that "but-for" causation is incompatible with simultaneous age, disability, and retaliation claims.

The parties are hereby reminded that the case is governed by the Federal Rules of Civil Procedure, including local rule variations. The parties should pay particular attention to Fed. R. Civ. Proc. 26 and 16 and should with their initial report notify the court if the case should be evaluated for proceeding upon any of the tracks provided by this court's Alternative Dispute Resolution Plan. **THE UNDERSIGNED TO WHOM THIS CASE IS ASSIGNED DOES NOT EMPLOY THE "UNIFORM INITIAL ORDER" FOUND ON THE COURT'S WEBSITE.**

DONE this 12th day of August, 2015.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE