

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

HARRY MCKAY

PLAINTIFF

v.

CASE NO. 12-2115

THE UNITED STATES DEPARTMENT  
OF ENERGY and DR. STEVEN CHU,  
the United States Secretary of  
Energy, in his Official Capacity

DEFENDANTS

**O R D E R**

Now on this 25th day of September 2013, comes on for consideration the above-styled cause. This matter is currently scheduled for a non-jury trial during the week of October 7, 2013.

The Court notes the parties have not had the opportunity to participate in a mediation before a United States Magistrate Judge and believes such would be helpful. Accordingly, this matter is removed from the October 7, 2013, trial docket and reset for a non-jury trial during the week of December 9, 2013. The Honorable James R. Marschewski will schedule a settlement conference by separate order.

IT IS SO ORDERED this 25th day of September 2013.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge