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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH BARKER,
Plaintiff,

No. C 16-05647 WHA

v.

KENNETH I. CHENAULT, Chairman
and Chief Executive Officer, and
AMERICAN EXPRESS COMPANY,
Defendants.

**ORDER RE PLAINTIFF'S
REQUEST TO
REOPEN MEDIATION**

Plaintiff Kenneth Barker seeks an order reopening mediation, contending that the prior mediation was an “exercise founded in idiocy” because he had not yet received responses to interrogatories, which responses were later ordered (Dkt. No. 53 at 1).

Plaintiff’s request is premature. Defendant American Express Company has moved to substitute a different company as the defendant, which motion remains pending. Additionally, an order invited defendants to bring an early summary judgment motion, which is due in several weeks. These motions may dispose of the case entirely, or at least as to one of our current defendants. Accordingly, plaintiff’s request to reopen mediation is **DENIED**. This is without prejudice to a stipulated request to reopen mediation brought by all parties or a renewed request after the foregoing motions have been resolved.

IT IS SO ORDERED.

Dated: May 16, 2017.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California