

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FEDERAL DEPOSIT INSURANCE
CORPORATION, as receiver for Orion
Bank of Naples, Florida,

Plaintiff,

v.

Case No: 2:13-cv-58-FtM-38CM

JAMES AULTMAN, EARL
HOLLAND, ALAN PRATT, and
BRIAN SCHMITT,

Defendants.

ORDER¹

This matter comes before the Court on Plaintiff Federal Deposit Insurance Corporation as Receiver for Orion Bank of Naples, Florida and Defendants James Aultman, Earl Holland, and Brian Schmitt's Joint Statement Advising the Court as to the Status of Mediation ([Doc. #80](#)) filed on August 26, 2014. On August 19, 2014, the Court issued an Order to Show Cause that directed the parties to advise on the status of mediation in this case. ([Doc. #79](#)). In response to the Court's Order, the parties indicate that they successfully engaged in mediation on June 18, 2014, and have agreed on a settlement amount. ([Doc. #80 at ¶ 1](#)). Plaintiff is internally considering the terms of the

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settlement payment, and the settlement remains subject to the parties' agreement on the final language in the settlement agreement. ([Doc. #80 at ¶¶ 1-2](#)).

Accordingly, it is now

ORDERED:

- (1) Due to the parties Joint Statement Advising the Court as to the Status of Mediation ([Doc. #80](#)), no further action is needed with regard to the Order to Show Cause ([Doc. #79](#)).
- (2) The parties shall file a joint status report, in writing, with the Court every thirty (30) days that informs the Court of the progress of settlement in this case.

DONE and **ORDERED** in Fort Myers, Florida this 27th day of August, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record