

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.

ORDER

Before the Court is Defendants' Motion to Extend Pre-Trial Deadlines or Alternatively a Stay of the Action Pending Completion of Settlement (Doc. 82), filed on August 29, 2014. Defendants request an extension of the deadlines to enable the parties to finalize the settlement. The parties completed mediation on June 17, 2014 and accepted the mediator's proposal for settlement on July 7, 2014. Defendants note the upcoming deadlines on the Court's Amended Case Management and Scheduling Order and request a thirty (30) day extension of all pre-trial deadlines or, in the alternative, an order staying this case until the parties are able to complete the settlement. Pursuant to Middle District of Florida Local Rule 3.01(g), counsel for Defendants conferred with counsel for Plaintiff, and represented that Plaintiff "will agree to an extension of the deadline to disclose expert witnesses, but will not

consent to extension of the other deadlines, nor will it agree to a stay of the case.”
Doc. 82 at 2.

Plaintiff filed its Response to Defendants’ Motion to Extend Pre-Trial Deadlines or Alternatively a Stay of the Action Pending Completion of Settlement (Doc. 83) on September 15, 2014, stating that it has no objection to Defendants’ requested extension of deadlines or a stay of the litigation, but that it “reserves the right to move to lift the stay if settlement does not occur.” Doc. 83 at 1. Because good cause exists to grant Defendants’ requested extension of the pending case management deadlines and Plaintiff does not oppose an extension, the Court will extend all pending case management deadlines for thirty days. The parties are encouraged to continue working diligently toward finalizing the settlement.

ACCORDINGLY, it is hereby

ORDERED:

Defendants’ Motion to Extend Pre-Trial Deadlines or Alternatively a Stay of the Action Pending Completion of Settlement (Doc. 82) is **GRANTED in part**. All deadlines set forth in the Amended Case Management and Scheduling Order (Doc. 75), including the trial term, are extended for a period of thirty (30) days.

DONE and **ORDERED** in Fort Myers, Florida on this 16th day of September, 2014.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record