

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JOANNE KELSO, an individual

Plaintiff,

v.

Case No: 2:13-cv-622-FtM-38UAM

KOHL'S DEPARTMENT STORES,
INC. and DOES 1 TO 10,

Defendants.

ORDER¹

This matter comes before the Court on Notice of Settlement ([Doc. #24](#)) filed on December 16, 2013. This Court has now been advised by Plaintiff's Counsel that the above action has settled between Plaintiff Joanne Kelso and Defendant Kohl's Department Stores, Inc. These Parties are now finalizing the terms of the settlement and anticipate the settlement will be finalized in 40 days. Plaintiff initiated this action against Defendant Kohl's Department Stores, Inc. and Defendants DOES 1 to 10 on August 26, 2013. ([Doc. #1](#)). To date Defendants DOES 1 to 10 have not been served and accordingly have not appeared in this matter.

Accordingly, it is now

ORDERED:

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or Web sites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other Web sites, this court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.

- (1) Plaintiff Joanne Kelso and Defendant Kohl's Department Stores, Inc. shall file a stipulated form of final judgment no later than **January 27, 2013**, 40 days from the date of this Order.
- (2) All pending motions (if any) between Plaintiff Joanne Kelso and Defendant Kohl's Department Stores, Inc. are hereby **DENIED as moot**. All pending case management deadlines, hearing dates, and the trial setting with regard to Plaintiff Joanne Kelso and Defendant Kohl's Department Stores, Inc. only are hereby **VACATED**.
- (3) Plaintiff shall inform the Court whether she will pursue this matter against Defendants DOES 1 to 10 no later than **December 26, 2013**. If service to Defendants DOES 1 to 10 has not been performed by December 24, 2013, 120 days after the filing of the Complaint in this matter, and Plaintiff intends to pursue this matter against Defendants DOES 1 to 10, then Plaintiff must show good cause as to why Plaintiff has not served Defendants DOES 1 to 10 no later than **December 26, 2013**. See [Fed. R. Civ. P. 4 \(m\)](#).

DONE and **ORDERED** in Fort Myers, Florida this 17th day of December, 2013.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record