

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

SKENDER KAJOSHAJ,

Plaintiff,

v.

Case No: 2:14-cv-170-FtM-CM

CIRCLE K STORES, INC.,

Defendant.

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**ORDER**

Before the Court is Plaintiff's Response to Court Order to Show Cause Dated March 4, 2015 and Motion to Extend Mediation Deadline to March 26, 2015 (Doc. 34), filed on March 9, 2015. On September 24, 2014, the Court entered its Case Management and Scheduling Order which established a mediation deadline of February 20, 2015. Doc. 28 at 1. Pursuant to that same Order, a mediator's report was required to be filed within five days. *See id.* at 17. When no such report was filed within the timer permitted, the Court issued an Order to Show Cause, directing Plaintiff to show cause in writing why no mediator's report was filed within the time permitted, and why this case should not be dismissed for failure to prosecute.<sup>1</sup> Doc. 33.

In his response, Plaintiff's counsel states that he mistakenly believed the mediation deadline also had been extended by the Court's prior Order extending the

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<sup>1</sup> The parties consented to the jurisdiction of a United States Magistrate Judge on September 16, 2014, and the case was reassigned to the undersigned on September 17, 2014. Docs. 25, 26.

expert and expert discovery deadlines. Doc. 34 at 1 n.1. Plaintiff's response also states that the parties were unable to complete mediation by the deadline due to scheduling conflicts, but mediation has been rescheduled for March 25, 2015, and therefore moves the Court for an extension of the mediation deadline to March 26, 2015 to accommodate the scheduled mediation.

Upon finding that mediation was not completed within the time permitted and no motion for extension of the deadline timely was filed due to excusable neglect, the Court will take no further action on its Order to Show Cause. Moreover, because the parties have rescheduled the mediation and are in agreement with respect to the extension of the mediation deadline, the Court will extend the mediation deadline up to and including March 26, 2015.

ACCORDINGLY, it is hereby

**ORDERED:**

1. The court will take **no further action** on the Order to Show Cause (Doc. 33).
2. Plaintiff's Motion to Extend Mediation Deadline to March 26, 2015 (Doc. 34) is **GRANTED**. **All other deadlines and directives remain unchanged.**

**DONE** and **ORDERED** in Fort Myers, Florida on this 10th day of March, 2015.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record