

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

KATHLEEN MARTIN,

Plaintiff,

v.

Case No: 2:14-cv-470-FtM-38CM

TARGET CORPORATION,

Defendant.

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**ORDER**

Before the Court is Defendant Target Corporation's Unopposed Motion for Extension of Mediation Deadline and for Waiver of Appearance of Defendant's Corporate Representative and Claims Professional (Doc. 25), filed on May 26, 2015. Defendant first requests an extension of the mediation deadline, currently June 1, 2015, to accommodate the parties' mediation scheduled for June 9, 2015 before mediator Denise Kennedy, Esq. *See* Docs. 21, 24. The Court finds good cause, and will grant the extension.

Defendant also requests that its corporate representative and claims professional be permitted to appear telephonically at the mediation scheduled for June 9, because both are located in Minneapolis, Minnesota. At the outset, the Court finds good cause and will permit the claims professional to appear telephonically. As to Defendant's corporate representative, the Middle District of Florida Local Rules and the Case Management and Scheduling Order entered in this case expressly state that parties, their counsel and, when applicable, corporate representatives are

required to attend the mediation conference. *See* M.D. Fla. R. 9.05(c); Doc. 21 at 9. Moreover, “mediation is a valuable tool for the parties to utilize in settling their disputes, and this Court requires personal attendance at mediation conferences because it strongly believes that mediation conferences are most effective when attended personally, rather than telephonically.” *Dodd v. Matthews*, No. 8:12-cv-2054-T-33TGW, 2013 WL 3491167, at \*2 (M.D. Fla. July 10, 2013).

Here, however, because Defendant represents that Plaintiff has agreed to waive the in-person attendance requirement for both the corporate representative and claims professional in this case, the Court also will allow Defendant’s corporate representative to appear telephonically if the mediator, Ms. Kennedy, agrees to allow Defendant’s corporate representative to appear by phone for the mediation. If Ms. Kennedy does not agree, then the corporate representative must appear in person.

ACCORDINGLY, it is hereby

**ORDERED:**

Defendant Target Corporation’s Unopposed Motion for Extension of Mediation Deadline and for Waiver of Appearance of Defendant’s Corporate Representative and Claims Professional (Doc. 25) is **GRANTED in part**, as follows:

1. The mediation deadline shall be extended up to and including **June 9, 2015**.
2. Defendant’s claims professional may appear telephonically at the scheduled mediation.

3. Defendant's corporate representative may appear telephonically only with consent of Ms. Kennedy. If Ms. Kennedy does not consent to the telephonic appearance of Defendant's corporate representative, the corporate representative must appear in person.

**DONE** and **ORDERED** in Fort Myers, Florida on this 28th day of May, 2015.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record