

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**CARVONDELLA BRADLEY, JOYCE
ELAINE NIEVES, LARONDA
WILLIAMS, CHRIS CROWLEY,
DERRICK BURKE, CHARLES E. BURKE,
JR., GREG BURKE, CYNTHIA BURKE,
BEATRICE WELLS, KARL CROWLEY,**

Plaintiffs,

-vs-

Case No. 6:07-cv-1690-Orl-31GJK

**KATHLEEN SEBELIUS, Secretary, U.S.
Department of Health and Human Services,**

Defendant.

ORDER

This matter comes before the Court without a hearing on the Plaintiffs' Motion for Order Directing Parties to Mediation (Doc. 75) and the response in opposition (Doc. 76) filed by the Defendant. The only issue remaining in this matter is that of attorney's fees and costs. That issue turns, in large part, on the Plaintiffs' entitlement to such an award under the Equal Access to Justice Act, 20 U.S.C. § 2412(b). Given that the Secretary disputes the Plaintiffs' entitlement to

an EAJA award and opposes mediation, it does not appear that mediation would likely be useful.

Accordingly, it is hereby

ORDERED that the Plaintiffs' Motion for Order Directing Parties to Mediation (Doc. 76) is **DENIED**.

DONE and **ORDERED** in Chambers, Orlando, Florida on May 31, 2011.



GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party