

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

FRED C. PROCTOR, JR.,

Plaintiff,

vs.

CASE NO. 3:10cv149/RS-MD

COUNTRYWIDE FINANCIAL CORPORATION, a Delaware corporation; COUNTRYWIDE HOME LOANS, INC., a New York corporation; BAC HOME LOANS SERVICING, LP, a Texas Limited Partnership; LARRY WRIGHT, Individually; WRIGHT & ASSOCIATES OF NORTHWEST FLORIDA, INC., a Florida corporation; CHRISTOPHER LEE PEAVY, Individually; JAMES A. PEAVY, JR., Individually; ANDREW PICKEL, Individually; and PEAVY AND ASSOCIATES, INC., a Florida corporation,

Defendants.

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COUNTRYWIDE HOME LOANS, INC., a New York corporation,

Counter-Plaintiff,

vs.

FRED C. PROCTOR, JR.,

Counter-Defendant.

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**ORDER**

Before me is Plaintiff's Motion For Relief From Order And To Enforce Settlement Agreement (Doc. 80). Plaintiff has filed copies of releases (Doc. 80-2) executed by Plaintiff, which purportedly released Defendants. No settlement documents executed

by Defendants have been filed. Consequently, there does not appear to be any basis for “enforcement” of a settlement.

**IT IS ORDERED:**

1. The Order (Doc. 65) is vacated
2. This case, which consists of Plaintiff’s claims against Defendants Larry A. Wright and Wright and Associates of Northwest Florida, Inc., is reinstated on the active docket of the court.
3. Jury trial is scheduled for June 20, 2011, at 8:30 a.m., in Pensacola, Florida.

**ORDERED** on March 23, 2011.

/S/ Richard Smoak

**RICHARD SMOAK**  
**UNITED STATES DISTRICT JUDGE**