

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

WILLIAM CECIL BAXTER,
DC# 543205,

Plaintiff,

v.

CASE NO. 4:09cv74-SPM/WCS

CLIFFORD ADAM, et al.,

Defendants.

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ORDER DENYING MOTION TO COMPEL

THIS CAUSE comes before the Court on Plaintiff's Motion to Compel (doc. 171) compliance with the terms of the settlement agreement and on Defendants' response (doc. 173). This Court lacks jurisdiction to enforce the terms of the parties' settlement because the Court did not adopt the settlement agreement or retain jurisdiction to enforce it, and there is no independent basis for exercising jurisdiction over the settlement. See Kokkonen v. Gardian Life Ins. Co. of Am., 511 U.S. 375, 379 (1994) (independent jurisdictional basis needed

for federal court to assert jurisdiction over breach of settlement agreement).

Accordingly, it is

ORDERED AND ADJUDGED: the Motion to Compel (doc. 171) is denied.

DONE AND ORDERED this 11th day of August, 2011.

s/ Stephan P. Mickle
Stephan P. Mickle
Senior United States District Judge