

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 06-21748-CIV-MARTINEZ-BANDSTRA

MARK J. GAINOR and ELYSE GAINOR,

Plaintiffs,

vs.

SIDLEY, AUSTIN, BROWN & WOOD, LLP et
al.,

Defendants.

**ORDER ON NOTICE OF SETTLEMENT OF CLAIMS AGAINST ARTHUR
ANDERSEN, LLP, MICHAEL S. MARX, AND ANTHONY P. NISSLEY
(THE "ANDERSEN DEFENDANTS") AND
DENYING ALL PENDING MOTIONS INVOLVING PLAINTIFFS AND ANDERSEN
DEFENDANTS AS MOOT**

This CAUSE came before the Court upon Plaintiffs' and Defendants Arthur Andersen, LLP, Michael S. Marx, and P. Anthony Nissley (the "Andersen Defendants") Joint Notice of Settlement of Claims (**D.E. No. 164**), filed on August 24, 2007. The parties indicated that they were in the process of finalizing a confidential agreement and would be filing a Notice of Dismissal with the Court shortly. Accordingly, it is:

ORDERED AND ADJUDGED as follows:

1) The parties shall file either a Notice of Dismissal (if the Defendant has not served an answer or motion for summary judgment) or a Stipulation of Dismissal (signed by all parties who have appeared in this action), **which must be filed with the Clerk of the Court**, a proposed Order of Dismissal or Final Judgment, and any other documents necessary to conclude this action **within fifteen (15) days of the date this Order is entered.**

2) This case remains on the trial docket until the documents necessary to conclude this

action are filed. All pertinent deadlines remain in effect. In order to be excused from calendar call, the above-referenced documents must be filed at least three (3) days prior to calendar call.

3) If the parties fail to comply with this order, the Court shall either dismiss this case without prejudice or proceed to trial as scheduled. No continuances will be granted on the grounds that settlement documents remain to be executed.

4) The Clerk is DIRECTED to DENY ALL PENDING MOTIONS AS MOOT that involve the Plaintiffs and the Andersen Defendants as parties.

DONE AND ORDERED in Chambers at Miami, Florida, this 28th day of August, 2007.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Bandstra
All Counsel of Record