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ELLIS, PAINTER, RATTERREE & ADAMS LLP

MAURY BOWEN
DIRECT DIAL: 912.231.2732
WWW.EPRA-LAW.COM

September 4, 2014

VIA HAND DELIVERY

Honorable G.R. Smith
Magistrate, U.S. District Court
Southern District of Georgia
Savannah Division
125 Bull Street
Savannah, GA 31401

U.S. DISTRICT COURT
SAVANNAH, GEORGIA
2014 SEP -8 AM 8:26
CLERK
SO. DIST. OF GA.

RE: **Jonathan Connett, et al. vs. Chatham Towing Company, Inc. and Colonial Group, Inc., Civil Action Number: 4:13-CV-00048-BAE-GRS**
In the United States District Court, Southern District of Georgia

Dear Judge Smith,

We are submitting this letter on behalf of all parties in this matter with their express permission.

On August 18, 2014, this Honorable Court entered an Order Staying Proceedings Pending Mediation (Doc. 59) allowing the parties to participate in mediation within thirty days of the Court's Order. The Court's Order also stated that if settlement was not accomplished in mediation, the parties shall have 30 days from the date of the mediation to file civil motions, (including Daubert motions but excluding motions *in limine*).

Upon receiving the Court's Order the parties worked diligently to schedule a conference call and agree upon a mediator qualified in the field of maritime law. Within seven working days of the Court's Order, the parties agreed upon E. Paul Gibson and made contact with Mr. Gibson's office that same day (August 26, 2014) in order to schedule a mediation within the thirty-day period allowed by the Court.

Unfortunately, Mr. Gibson is unavailable during the month of September due to his plans to travel abroad as well as prior mediation commitments. The first available date that the parties could schedule a mediation with Mr. Gibson is October 1, 2014.

The purpose of this letter is to seek leave of the Court to participate in mediation on October 1, 2014, which is fourteen days after the thirty day period set by the Court expires and to also seek leave of the Court that the parties (consistent with the Court's above order.) have until November 1 file the above motions.

We are happy to file a formal motion and proposed order if desired by the Court.

Respectfully submitted,



Maury Bowen
Counsel for Defendants and with
express permission on behalf of all
parties

MB/jmnk

cc: Sherri Flanders (via email to sherri_flanders@gas.uscourts.gov)
Robert B. Hopkins, Esq. (via e-mail rbhopkins@duanemorris.com)
Robert J. Kaufman, Esq. (via e-mail rjk@kauflaw.net)

The parties' request for an extension of time to conduct mediation is granted. The parties are reminded, however, that Fed. R. Civ. P. 7(b) requires that every "request for a court order must be made by motion."

