

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**

**SAVANNAH DIVISION**

VALERIE STOREY, Individually )  
and as Executrix of the )  
ESTATE OF KENNETH CARTEE, )  
 )  
Plaintiffs, )

v. )

EFFINGHAM COUNTY, )  
JIMMY MCDUFFIE, Individually, )  
JIMMY MCDUFFIE, in his )  
official capacity as Effingham )  
County Sheriff, )  
TRANSFORMHEALTHRX, INC., )  
EFFINGHAM COUNTY BOARD )  
OF COMMISSIONERS, )  
ASHBY LEE ZYDONIK, Deputy, )  
BRYAN SHEARHOUSE, Corporal, )  
*et al.* )  
 )  
Defendants. )

Case No. CV415-149

**AMENDED ORDER**

The Court **GRANTS** the parties’ Joint Motion to Stay these proceedings in light of plaintiff/executrix Valerie Storey’s death. Doc. 128. But it also **DIRECTS** the Clerk to **ADMINISTRATIVELY CLOSE** this case without prejudice to the right of any party with standing to reopen it. *See, e.g., In re Heritage Southwest Medical Group PA*, 464 F. App’x 285, 287 (5th Cir. 2012) (“administrative closure does

not have any effect on the rights of the parties and is simply a docket-management device.”). This will spare the parties the stress and expense of juggling deadlines pending completion of the Probate Court proceedings (*see* doc. 128 at 3-4) required to replace the executrix. Upon reopening, the parties shall confer and present a new Scheduling Order within 14 days.<sup>1</sup> Gateway Behavioral Health Services’ motion to quash a defense subpoena (doc. 125) is thus administratively **DENIED** without prejudice to renew it when this case is re-opened.

**SO ORDERED**, this 4th day of August, 2016.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA

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<sup>1</sup> Should this litigation settle, any party with standing may move to reactivate this case if settlement-enforcement is sought. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381-82 (1994); *Am. Disability Ass'n v. Chmielarz*, 289 F.3d 1315, 1320 (11th Cir. 2002). Alternatively, the parties may elect to take no further action -- they will have settled, after all -- in which case this action will simply remain closed. *Atlantic Cas. Ins. Co. v. Suchil*, 2015 WL 1951798 at \* 1 (S.D. Ga. Apr. 28, 2015).