

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JIMMIE THOMAS,)
Plaintiff,)
v.) Case No. 16 C 10152
I.C. SYSTEM, INC.,)
Defendant.)

MEMORANDUM ORDER

This Court's brief December 27, 2016 memorandum order addressed the First Affirmative Defense ("AD 1") that had been raised by I.C. System, Inc. ("I.C. System") to the Fair Debt Collection Practices Act brought against in by plaintiff Jimmie Thomas. That memorandum order concluded by anticipating "the swift filing" of a motion by I.C. System to pursue this action via arbitration rather than turning to the federal court in the first instance.

Because silence has descended since the issuance of the memorandum order, AD 1 is stricken, any resort to an arbitration remedy by I.C. System is forfeited and this action will proceed as a litigated matter in the first instance. Further proceedings in the case will be discussed during the previously scheduled February 9 status hearing.

William D. Shadley

Milton I. Shadur
Senior United States District Judge

Date: January 27, 2017