

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIO CANTU,

Plaintiff,

v.

Case No. 07-CV-10339
HON. GEORGE CARAM STEEH

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants

ORDER GRANTING PLAINTIFF'S MOTION TO ENFORCE
SETTLEMENT AGREEMENT AND COMPEL PAYMENT
OF SETTLEMENT PROCEEDS (DOC. # 62)

The parties to this matter reached a settlement agreement in June 2010. That agreement was placed on the record. Since that time, the parties have had some dispute, and lengthy delays in communication, in connection with whether the written settlement agreement drafted by defendants and forwarded to plaintiff reflected the agreement placed on the record in June 2010. Plaintiff has now forwarded a signed agreement to defendants, received by defendants in September 2012.

Now before the court is plaintiff's motion to enforce that settlement agreement and compel payment of the settlement proceeds. Defendants indicate in their response that because the case was settled during the 2010 fiscal year, the MDOC has certain procedures it must follow before cutting a check to plaintiff. Defendants asked, in November 2012, for "time to follow the proper procedures to ensure proper accounting of any payments made."

It appears to the court that defendants have by now had sufficient time to follow the proper procedures. However, there has been no communication with the court about whether this matter has been resolved. Accordingly, plaintiff's motion is hereby GRANTED. Defendants are ordered to file notice with the court that the settlement proceeds have been paid to plaintiff or provide a firm date in the near future concerning when this will occur.

IT IS SO ORDERED.

Dated: January 30, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 30, 2013, by electronic and/or ordinary mail.

s/Barbara Radke
Deputy Clerk