

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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HARTMAN & TYNER, INC,

Plaintiff,

v.

Case No. 10-11718

ORIX CAPITAL MARKETS, LLC,

Defendant.

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**ORDER STAYING PROCEEDINGS PENDING POSSIBLE FACILITATION AND  
SETTING TELEPHONE CONFERENCE**

On May 24, 2010, the court conducted a conference with counsel for both parties regarding the above-captioned case. During the conference, counsel indicated that a facilitation may allow the parties to settle this case and that a negotiated business solution may be preferable to a legal one. While counsel were optimistic that their clients would be interested in facilitation, they requested a few days to discuss options with their client and to consider possible facilitators. Accordingly, the court will order the parties to inform the court by joint letter as to their progress toward a facilitation by the close of business May 28, 2010.

If the parties proceed toward facilitation the court will be satisfied that the parties will use this time productively, and it will therefore stay this case for four weeks to allow the parties to pursue a possible facilitation and settlement. During the stay, the court expects the parties to engage in informal discovery and continue with their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). The court will also schedule a telephone conference at the end of the four-week stay, on June 23 at 11

a.m. Should the parties fail to reach a negotiated settlement, the court will use this conference to determine a schedule for the case's progression through discovery and to trial. Accordingly,

IT IS ORDERED that all formal proceedings in this matter are STAYED pending possible facilitation and settlement negotiations between the parties. The parties are instructed to inform the court (by joint letter which can be faxed to (313) 234-5529) by the close of business on **May 28, 2010** as to the parties' willingness to use facilitation and their progress toward selecting a facilitator. The parties are also instructed to notify the court immediately if they have reached a complete resolution to this matter or if their negotiations have halted.

IT IS FURTHER ORDERED that the parties will participate in a telephone status conference on **June 23, 2010, at 11:00 a.m.** The court will initiate the telephone call. If, at that time, the parties have failed to negotiate a settlement, the court will lift the stay, and the court will determine the schedule by which this case will proceed.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 25, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 25, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522