

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Scott and Patti Weddle,

Plaintiffs,

Civ. No. 11-2122 (RHK/JSM)

ORDER

v.

Apex Financial Management, LLC, *et al.*,

Defendants.

Plaintiffs in this action have accepted Defendants' Offer of Judgment, reserving the right to petition the Court for an award of reasonable attorneys' fees. Plaintiffs request that the Court issue a scheduling Order affording the parties "a minimum of 30 days . . . to attempt to informally settle th[e] issue of attorney's fees and costs, without the necessity of the Court's involvement." (Doc. No. 9 at 2.) Based on the foregoing, and all the files, records, and proceedings herein, **IT IS ORDERED:**

1. The parties shall have until October 24, 2011, to informally resolve the fee issue. They shall promptly notify the Court if they are able to do so;

2. In the event the parties are unable to resolve the fee issue without the Court's intervention, the following briefing schedule shall apply to Plaintiffs' fee request: Plaintiffs shall serve and file a Memorandum in support of their request, together with all supporting documents, on or before October 28, 2011, and Defendants shall serve and file

a Memorandum in opposition to the request, together with all supporting documents, on or before November 7, 2011; and

3. No hearing will be held on the fee request unless the Court orders otherwise.

Dated: September 23, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge