

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

**WAYNE KENNETH AUGÉ II,**

**Plaintiff,<sup>1</sup>**

**v.**

**No. 14-cv-1089 KG/SMV**

**STRYKER CORPORATION and**  
**HOWMEDICA OSTEONICS CORPORATION,**

**Defendants.**

**ORDER FOR STATUS REPORT**

THIS MATTER is before the Court on Defendants' Notice Regarding Mediation [Doc. 215], filed on July 2, 2018. At that time, the parties planned to schedule a private mediation on final resolution of (1) Defendants' Motion to Reconsider and Amend Partial Judgment [Doc. 211]; and (2) Plaintiff's Motion to Compel Supplementation of Discovery, or in the Alternative, to Reopen Discovery [Doc. 219]. The parties indicated that within 14 days of final resolution of the Motions, they would file another notice "indicating the scheduling and agreed format of the mediation." [Doc. 215] at 1. Plaintiff's Motion was resolved on October 5, 2018, [Doc. 233], and Defendants' Motion was resolved on January 8, 2019, [Doc. 235].

**IT IS THEREFORE ORDERED** that no later than **February 7, 2019**, Defendants file another status report, advising the Court of the parties' plans for private mediation, including scheduling and format.

  
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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**

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<sup>1</sup> Clarke C. Coll was substituted as Plaintiff in this matter when Dr. Augé filed for bankruptcy. Mr. Coll is the trustee of the bankruptcy estate. [Doc. 30]. Dr. Augé was reinstated as Plaintiff after Mr. Coll, as trustee, abandoned certain claims of the bankruptcy estate, including the claims in the instant lawsuit. [Doc. 187].