

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

UNITED STATES OF AMERICA, ex rel.
MARGARET MCGUINN,

Plaintiff,

v.

No. 2:20-cv-31 KG/KRS

THE J.L. GRAY COMPANY, et al.,

Defendants.

ORDER SETTING BRIEFING SCHEDULE

THIS MATTER is before the Court upon the parties' Notices regarding the status of the settlement of this case, both filed March 26, 2024. (Docs. 128 and 130). The parties do not agree about whether they reached a binding agreement to settle this case due to notification that the Department of Justice will not approve the monetary settlement unless the parties rescind the separate remediation agreement. The parties disagree as to whether the remediation agreement is material to the monetary settlement. Plaintiff proposes three options to resolve the disagreement: (1) Defendants agree to rescind the remediation agreement and fulfill the terms of the monetary settlement agreement; (2) the Court orders enforcement of the settlement agreement based on the terms agreed to at the November 30, 2023 settlement conference; or (3) the Court sets a briefing schedule for Plaintiff to move to enforce the settlement agreement. (Doc. 128) at 3-4 (providing proposed briefing deadlines). Defendants state it is their position that there is no binding settlement agreement and they are prepared to brief the issue for the Court. (Doc. 130) at 1.

Due to the parties' disagreement about whether a binding settlement has been reached, the Court will order briefing as follows:

1. Plaintiff shall file a Motion to Enforce the Settlement Agreement **by April 10, 2024**;
2. Defendants shall respond **by April 24, 2024**; and
3. Plaintiff shall file a reply **by May 8, 2024**.

IT IS SO ORDERED.



KEVIN R. SWEAZEA

UNITED STATES MAGISTRATE JUDGE