

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CV-193-BR(2)

MICHELE MILLER,  
Plaintiff,

v.

ALLSCRIPTS HEALTHCARE,  
Defendant.

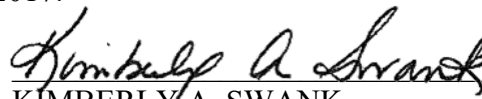
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**ORDER**

A non-final Rule 16 pretrial conference was held in this matter via telephone on September 7, 2017. Charles Monteith, Jr., of Monteith Law, PLLC, appeared on behalf of Plaintiff Michele Miller; and Molly Shah and Elise McKelvey of Littler Mendelson, PC, appeared on behalf of Defendant Allscripts Healthcare.<sup>1</sup>

For the reasons announced at the conference, the court finds that Defendant has not demonstrated sufficient grounds under this court's Local Civil Rules for exemption from mediation. Accordingly, the court, in its discretion, DENIES Defendant's Consent Motion to Waive Mediation [DE #30]. However, given the basis for the motion to dismiss pending before the court and the procedural posture of Defendant's motion, the court finds that it would be appropriate to extend the deadline for mediation. The court, therefore, ORDERS, *sua sponte*, that the Case Management Order previously entered in this case be amended to extend the mediation deadline for a period of thirty (30) days following the court's resolution of the motion to dismiss filed on August 25, 2017 [DE #27].

This 13th day of September 2017.

  
KIMBERLY A. SWANK  
United States Magistrate Judge

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<sup>1</sup>The court notes that Ms. McKelvey has not filed a notice of appearance in this case.