

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:10 cv 95

WILLIAM NORKUNAS, Individually,)
)
 Plaintiff)
)
 v)
)
 HP HOSPITALITY, LLC, A Limited)
 Liability Company,)
)
 Defendant.)

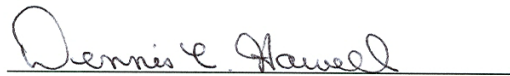
ORDER

THIS MATTER coming on before the undersigned pursuant to a document entitled "Joint Rule 26(f) Report" (#12) which the court has considered as a certification of initial attorneys conference as set forth under LCvR 16.1(B). In the report, the parties advise the defendant desires to request a stay of discovery pending a ruling on a motion for summary judgment and the plaintiff does not consent to a stay of discovery. It is the experience of the undersigned that most motions for summary judgment are almost exclusively filed after discovery has been completed. The parties further report they cannot evaluate the case for settlement purposes prior to a ruling on a proposed defendant's Motion for Summary Judgment. It is this court's experience that mediation be completed before the filing of dispositive motions. Based upon these issues, the undersigned has determined it would be appropriate to have a hearing with the parties to discuss issues regarding discovery prior to the entry of the Pretrial Order and Case Management Plan.

ORDER

IT IS, THEREFORE, ORDERED that counsel for the plaintiff and counsel for the defendant appear before the undersigned concerning the Pretrial Order and Case Management Plan **2:00 p.m.** on **August 27, 2010** in courtroom #2 of the United States Courthouse in Asheville, NC.

Signed: August 18, 2010



Dennis L. Howell
United States Magistrate Judge

