

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11 CV 54**

GENERAL STAR NATIONAL)	
INSURANCE COMPANY,)	
)	
Plaintiff, and)	
)	
NATIONAL CASUALTY COMPANY,)	
)	
Intervening Plaintiff,)	
)	
Vs.)	
)	
GLEN E. CHAPMAN, CITY OF)	
HICKORY, DENNIS A. RHONEY, AND)	
ROBERT A. MULLINAX, AS PUBLIC)	
ADMINISTRATOR FOR THE ESTATE)	
OF MARK R. SAMS,)	
)	
Defendants.)	
<hr style="width: 35%; margin-left: 0;"/>)	

ORDER

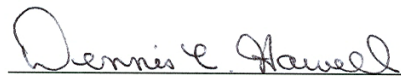
THIS MATTER is before the court pursuant to a “Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan” (#39). In the document, the parties proposed to defer discovery until after there has been a ruling on dispositive motions which were to be filed by October 30, 2011. After the filing of the certification on September 9, 2011, there has been filed a Motion for Judgment on the Pleadings (#37), a further Motion for Judgment on the Pleadings (#44), a Motion to Dismiss Claims (#47), and a Motion for Summary Judgment (#52). In light of these filings, the undersigned will not at this time enter a Pretrial Order and Case Management Plan. The undersigned will direct the parties to file a new certification and report within

fifteen (15) days of the District Court's ruling on the above referenced motions.

ORDER

IT IS, THEREFORE, ORDERED that the court shall not enter a Pretrial Order and Case Management Plan at this time and directs the parties to file a new Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan with **fifteen (15) days** of the District Court's ruling on the motions referenced in this Order.

Signed: November 16, 2011

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Dennis L. Howell
United States Magistrate Judge

