

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:13-cv-00004-MR-DSC**

**CHARLES T. LEE,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 )  
 **NORFOLK SOUTHERN** )  
 **RAILWAY COMPANY,** )  
 )  
 **Defendant.** )  
 )  
 )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on remand from the Court of Appeals for the Fourth Circuit. Lee v. Norfolk So. Ry. Co., No. 14-1585 (4<sup>th</sup> Cir. 2015).

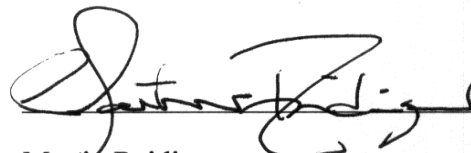
The Fourth Circuit reversed this Court's order granting summary judgment in favor of the Defendant and remanded this matter for further proceedings. This Court's order, however, addressed only one of the issues raised by the Defendant in its summary judgment motion and argued by the parties at the summary judgment motion hearing. In light of the Fourth Circuit's reversal and remand, the Court will revisit the Defendant's motion for summary judgment and address the other arguments raised therein.

Before ruling on the motion, however, the Court will allow the parties the opportunity to supplement their briefing to address any new authority, if any, that may have been decided since the filing of the original briefs.

**IT IS, THEREFORE, ORDERED** that the Defendant shall have fourteen (14) days from the entry of this Order within which to file a supplemental brief in support of its motion for summary judgment. The Plaintiff shall have fourteen (14) days from the filing of the Defendant's supplemental brief to file a response. A supplemental reply brief shall not be permitted. Such supplemental briefs shall be in 14-point font and shall not exceed five (5) pages.

**IT IS SO ORDERED.**

Signed: October 22, 2015

  
Martin Reidinger  
United States District Judge

