

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00032-MR-DLH**

BARBARA EWA MADER,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
)	
JEFFREY DEAN MARTIN,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the parties’ “Settlement Agreement and Consent Judgment.” [Doc. 65].

On January 31, 2014, a Mediator’s Report was filed with the Court, advising that this matter has been completely settled. [Doc. 63]. On February 5, 2014, the Court entered an Order directing the parties to file a stipulation of dismissal within thirty (30) days. [Doc. 64].

On February 21, 2014, the parties filed a “Settlement Agreement and Consent Judgment,” which recites the terms of the parties’ settlement agreement, including the payment of funds by the Defendant to the Plaintiff

as full and final settlement of this action upon the signing of the agreement by the Defendant.

The parties did not file a motion requesting the entry of this proposed judgment, in contravention of the Local Rules. As such, this pleading is subject to being stricken as being improperly filed. Further, the proposed judgment has been presented for signature by Magistrate Judge Howell, who is not the presiding judge in this matter. Regardless of these technical deficiencies, however, the parties' settlement agreement does not appear to require the entry of a consent judgment, as the parties have agreed upon the dismissal of the action upon the payment of funds by the Defendant to the Plaintiff.

To the extent that the parties have not yet effected the terms of their settlement agreement, they are directed to do so expeditiously. Until a stipulation of dismissal is filed as previously ordered by the Court, this action remains on the May 2014 calendar for trial.

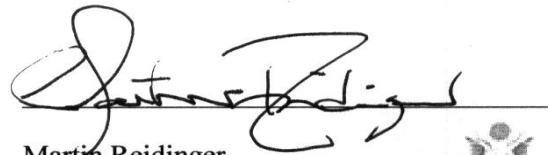
IT IS, THEREFORE, ORDERED that the parties' "Settlement Agreement and Consent Judgment" is hereby **STRICKEN** from the record.

IT IS FURTHER ORDERED that the parties shall take such action as is necessary to effectuate the terms of their settlement agreement.

IT IS FURTHER ORDERED that the parties shall file a stipulation of dismissal within fourteen (14) days of the entry of this Order.

IT IS SO ORDERED.

Signed: March 21, 2014


Martin Reidinger
United States District Judge

