

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:15 CV 221**

SAFECO INSURANCE COMPANY)
OF AMERICA, as subrogee of Lenore)
Barnett,)
)
Plaintiff)
)
v)
)
AIR VENT, INC., REGAL BELOIT)
CORPORATION and REGAL BELOIT)
AMERICA, INC. f/k/a MARATHON)
ELECTRIC MANUFACTURING)
CORPORATION,)
)
Defendants.)

ORDER

THIS MATTER has come before the undersigned pursuant to a Joint Motion to Vacate the Court’s December 22, 2015 Pretrial Order and Case Management Plan (#14) filed by the Plaintiff and Defendant Air Vent, Inc. It appears to the Court from the motion and the records in this cause that the Plaintiff has, with the consent of Defendant Air Vent, Inc., filed an Amended Complaint and added additional defendants Regal Beloit Corporation and Regal Beloit America, Inc. The parties contend that the Court should vacate or strike the Pretrial Order and Case Management Plan (#8) entered in this matter because the adding of new defendants

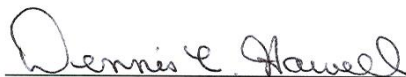
will require additional time to file answer to the Plaintiff's Amended Complaint and to present their contentions concerning a proposed scheduling order.

It appears to the Court that good cause has been shown for the granting of the motion and the motion will be allowed.

ORDER

IT IS, THEREFORE, ORDERED that the Joint Motion to Vacate the Court's December 22, 2015 Pretrial Order and Case Management Plan (#14) is **ALLOWED** and the Pretrial Order and Case Management Plan (#8) previously entered in this matter is ordered to be null and of no force and effect. The parties are directed to present their contentions concerning a new Pretrial Order and Case Management Plan after the appearance of the additional defendants and as provided by the Local Rules of Civil Procedure.

Signed: February 3, 2016



Dennis L. Howell
United States Magistrate Judge

