

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16 CV 324**

JOHN ALEXANDER COMBS,)
)
 Plaintiff)
)
 v)
)
 RICHARD M. HEEBNER,)
)
 Defendant)

ORDER

THIS MATTER has come before the undersigned pursuant to a “Consent Motion to Stay Case or, in the Alternative, to Extend Certain Deadlines” (#12). In the motion, the parties request that all proceedings in this case be stayed indefinitely while mediation is attempted. The Court is not provided with any date when mediation has been scheduled and as a result the undersigned cannot determine what deadlines the parties wish to be extended other than an indefinite extension of all deadlines.

On November 3, 2016, the undersigned entered a Pretrial Order and Case Management Plan in this matter which set forth various deadlines, including a trial by jury that is to begin on January 8, 2018. Pursuant to a Motion (#9) filed by the parties, the undersigned then amended the Pretrial Order (#11) and extended several of the deadlines. The undersigned cannot grant an indefinite extension of all

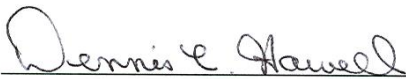
deadlines to an uncertain and unknown date.

Out of an abundance of caution, the undersigned has consulted with the District Court concerning the parties' motion. As a result of such consultation and as a result of the foregoing, the undersigned will deny parties' Consent Motion(#12) without prejudice. The parties are invited to renew the motion, but they must show extreme and compelling reasons why such relief should be granted in this case. If such motion is filed, then the parties should be advised that a hearing at which counsel and the parties will be required to attend will be scheduled.

ORDER

IT IS, THEREFORE, ORDERED that the Consent Motion to Stay Case or, in the Alternative, to Extend Certain Deadlines (#12) is **DENIED** without prejudice.

Signed: March 3, 2017



Dennis L. Howell
United States Magistrate Judge

