

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 CV 351

CHERYL CELESTE KENYON,)
f/k/a **CHERYL PORTER;** and)
TAMMY MCABEE,)
))
Plaintiffs,)
v.)
JIMMY LEE BRANCH, in his individual)
capacity as employee of the North)
Carolina Department of Public Safety;)
FNU JACKSON, in her individual)
capacity as Superintendent / Warden)
of Swannanoa Correctional Center for)
Women; and **TABITHA BATES,** in her)
individual capacity as employee of the)
North Carolina Department of Public)
Safety;)
Defendants.)
_____)

ORDER

This matter is before the Court on Defendants’ “Motion to Excuse Defendants from Attendance at Private Mediation Conference” (Doc. 43).

Having considered the Motion, the Court does not find that Defendants should be excused from participating entirely in the mediated settlement conference scheduled for August 1, 2019. Defendants, however, will be allowed to participate by telephone.

Accordingly, Defendants’ “Motion to Excuse Defendants from Attendance at Private Mediation Conference” (Doc. 43) is **GRANTED IN**

PART. The individual Defendants shall participate in the settlement conference but are permitted to do so by telephone until the conclusion of the conference or otherwise until released by the mediator.

Signed: July 29, 2019

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

