

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:05-cv-238-GCM

WILLIAM L. PENDER, *et al.*, )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 BANK OF AMERICA *et al.* )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

ORDER

THIS MATTER comes before the Court on its own motion. As discussed at the December 11, 2012 status conference, all current motions pending on the docket are denied as moot and the clerk is directed to terminate any motions pending as of this date. The Plaintiffs may file a motion for summary judgment on the issue of liability, as discussed at the status conference, on or before January 31, 2013. Likewise, the Defendant may file the dispositive motion discussed regarding the statute of limitations on or before January 31, 2013. To the extent that either party needs an extension of time on the January 31, 2013 motions deadline, the Court would consider such an extension. When the opposing motions are filed, responses and replies should be filed in accordance with the Federal Rules of Civil Procedure. The parties are further directed to file a status report with the Court within seven (7) days of the Supreme Court ruling on the pending certiorari petition.

SO ORDERED.

Signed: December 11, 2012

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

