

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CIVIL CASE NO. 3:08cv388**

**PATRICIA A. RAYMOND, Personal )  
Representative of the Estate of )  
HERBERT D. RAYMOND, JR., a/k/a )  
DAVID RAYMOND, )**

**Plaintiff, )**

**vs. )**

**ORDER**

**NATIONAL TOUR, INC., JOHNNY )  
CAPELS, BLUE CROSS BLUE )  
SHIELD OF NORTH CAROLINA and )  
CONEXIS BENEFITS )  
ADMINISTRATORS, LP, )**

**Defendants. )**

**THIS MATTER** is before the Court *sua sponte*.

The Plaintiff filed her Complaint on August 22, 2008 against the Defendants National Tour, Inc. (National Tour), Johnny Capels (Capels), Blue Cross Blue Shield of North Carolina (BCBS), and CONEXIS Benefits Administrators, LP (CONEXIS). [Doc. 1]. Of the four Defendants named in the Complaint, only two have filed Answers in this action to date. BCBS filed its Answer to the Plaintiff's Complaint on September 15, 2008. [Doc.

9]. CONEXIS filed an Answer to the Plaintiff's Complaint on January 5, 2009. [Doc. 27]. With respect to the other two Defendants, the Plaintiff filed Affidavits of Service on December 30, 2008, stating that National Tour was served with process on September 11, 2008 and that Capels was served with process on December 11, 2008. [Doc. 22]. To date, neither National Tour nor Capels has filed an Answer, and the time for doing so has expired. Capels, however, has filed a Suggestion of Bankruptcy on October 7, 2008, reflecting his having filed for bankruptcy protection in the Middle District of North Carolina.

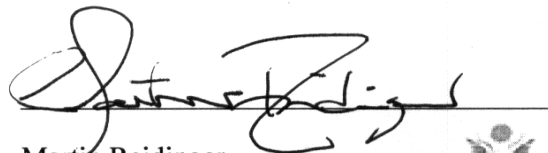
Local Rule 16.1 provides that no later than fourteen (14) days from joinder of the issues, the parties or their counsel shall conduct an Initial Attorney's Conference ("IAC"). LCvR 16.1(A). "Joinder of the issues" occurs when the final answer to a complaint has been filed or the time for doing so has expired. LCvR 16.1(D). Within five (5) days of the IAC, the parties are required to file a Certification of Initial Attorney's Conference ("CIAC") with the Court. LCvR 16.1(B).

Accordingly, **IT IS, THEREFORE, ORDERED** that the parties shall conduct an Initial Attorney's Conference within ten (10) days of the entry of

this Order, if they have not already done so, and shall file certification thereof with the Court within five(5) days thereafter.

**IT IS SO ORDERED.**

Signed: January 13, 2009

  
Martin Reiding  
United States District Judge

