

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:9cv36**

BENJAMIN TATE,)
)
 Plaintiff,)
)
Vs.)
)
NC PEPSI-COLA BOTTLING)
COMPANY OF CHARLOTTE, INC.,)
)
)
)
)
 Defendant.)
_____)

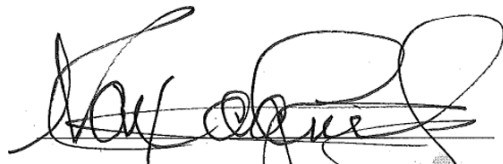
ORDER

This matter is before the court on a motion for summary judgment by Defendant Bottling Group LLC (#21). The motion is ripe for disposition. The parties are advised that the motion will be placed on the next motions calendar and that if the action survives hearing, it will be placed on the next trial calendar.

ORDER

IT IS, THEREFORE, ORDERED that defendant Bottling Group LLC’s motion for summary judgment (#21) is **CALENDARED** for hearing, and the Clerk of this Court is respectfully instructed to calendar this matter for hearing during the August 17, 2011, civil motions day.

Signed: June 27, 2011



Max O. Cogburn Jr.
United States District Judge