

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:10-CV-592**

BETH ANN BLANEY, et al)	
)	
Plaintiffs,)	
)	
vs.)	
)	
)	
CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY)	
)	
Defendant.)	
)	

ORDER


THIS MATTER is before the Court upon its own motion. The Court previously issued an order requesting a status report from the parties after they failed to file a mediation report (Doc. No. 72). The parties responded, reporting they did not complete mediation because they were engaged in settlement talks and stated: “The parties are hopeful that they will obtain the necessary signatures of the seventeen (17) Plaintiffs and Op[t]-In Plaintiffs and file their joint motion to dismiss within the next 14 days” (Doc. No. 73, p. 2). Fourteen days passed and the parties did not file a joint motion to dismiss. The Court then issued another order requesting a status report (Doc. No. 74). The parties replied (Doc. No. 75) indicating that “all but two (2) of the seventeen (17) Plaintiffs and Opt-ins have executed the settlement release agreement,” and that the parties expect settlement to be consummated “shortly” (See Doc. No. 75).


Trial is scheduled to begin in this matter on July 16, 2012. A pre-trial conference should be scheduled and pre-trial submissions should be filed; however, because the parties assure the Court that settlement is imminent, the Court **HEREBY DISMISSES** this case without prejudice. Any party shall have thirty (30) days from the date of this order to reopen the case if a settlement

release agreement is not executed.¹

IT IS SO ORDERED.

Signed: July 3, 2012


Frank D. Whitney
United States District Judge



¹ This case is administratively closed; however, if it is re-opened within the thirty (30) day window, the statute of limitations will relate back to the filing of the complaint.