

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:10-CV-665-RJC-DCK**

**CARLYLE H. HILL,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **FORWARD AIR SOLUTIONS, INC.,** )  
 )  
 **Defendant.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on “Plaintiff’s Motion For Reconsideration Of The Order Denying Plaintiff’s Motion For Extension Of Time To Respond To Defendant’s Motion For Summary Judgment” (Document No. 36) filed October 25, 2011; and “Defendant’s Response To Plaintiff’s Motion For Reconsideration Of The Court’s Denial Of Plaintiff’s Consent Motion To Extend Time For Plaintiff To Respond To Defendant’s Motion For Summary Judgment” (Document No. 37) filed October 26, 2011. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the overall record, the undersigned will grant the motion.

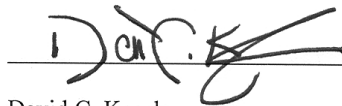
The Court will not repeat its previously stated frustration regarding the delays associated with the mediation in this case. The parties are again admonished to follow the local rules and to be attentive to the deadlines set forth in the Court’s orders. Having said that, counsel for the parties – to their credit – continue to take the position that the originally requested extension is appropriate in that it will facilitate the parties’ efforts to resolve the case. While the Court continues to have some concerns, in light of all the circumstances presented here, the Court will reconsider its previous position and grant the motion.

**IT IS, THEREFORE, ORDERED** that the “Plaintiff’s Motion For Reconsideration Of The Order Denying Plaintiff’s Motion For Extension Of Time To Respond To Defendant’s Motion For Summary Judgment” (Document No. 36) is hereby **GRANTED**.

**IT IS FURTHER ORDERED** that, assuming the case is not settled at mediation, the Plaintiff shall file the required summary judgment motion response by **November 21, 2011**.

**IT IS FURTHER ORDERED** that the parties shall file a report on the results of mediation on or before **November 15, 2011**.

Signed: October 26, 2011



David C. Keesler  
United States Magistrate Judge

