

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-CV-369-FDW-DCK**

<p>MEINEKE CAR CARE CENTERS, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>VINCENT BICA and DINA BICA,</p> <p style="text-align: center;">Defendants.</p> <hr style="width: 40%; margin-left: 0;"/>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><u>ORDER</u></p>
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THIS MATTER IS BEFORE THE COURT on the parties’ “Joint Motion To Stay Initial Attorney Conference” (Document No. 30) filed October 12, 2012. 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 record, the undersigned will deny the motion.

The undersigned notes that on October 5, 2012, Judge Whitney issued an “Order To Show Cause” (Document No. 29) which explicitly directed: (1) that Defendants show cause why they should not be found in contempt on or before October 19, 2012; and (2) that the parties file a Certification of Initial Attorney’s Conference (“CIAC”) on or before October 12, 2012. Judge Whitney specifically set the CIAC deadline “due to the parties’ non-compliance, and in order to move this case forward.” (Document No. 29). Instead of filing their CIAC, the parties filed the instant motion on the day the CIAC was due to be filed.

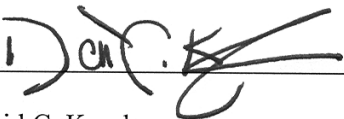
IT IS, THEREFORE, ORDERED that the parties’ “Joint Motion To Stay Initial Attorney Conference” (Document No. 30) is **DENIED**.

IT IS FURTHER ORDERED that the parties file a Certification of Initial Attorney’s Conference, or a Stipulation of Dismissal, on or before **October 18, 2012**. The Court will decline

for now to issue any sanctions based on the parties' delay(s) and non-compliance, but will keep such option under consideration.

SO ORDERED.

Signed: October 15, 2012



David C. Keesler
United States Magistrate Judge

