

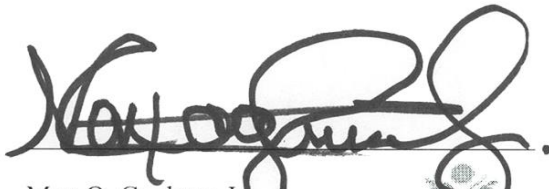
Given that the trial in this case is set for August 17, 2015, and the court's next civil motions day is only three business days before such trial date, the court will not hold oral arguments on the motion beforehand and will hear and decide Defendant's Motion at trial.

ORDER

IT IS, THEREFORE, ORDERED that Defendant North Carolina Department of Revenue's Motion for Summary Judgment (#36) is **DEFERRED** for consideration at trial.

IT IS FURTHER ORDERED that the parties certify the result of mediation as required by the Pretrial Order and/or submit to the court a notice explaining why mediation was impossible within fourteen (14) days of this Order. As stated in the Pretrial Order (#25), failure to comply with any directive of a court order, including directives pertaining to mediation, may result in sanctions.

Signed: July 17, 2015


Max O. Cogburn Jr.
United States District Judge