

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-cv-561-FDW**

**EDWARD EARL BROWN, JR.,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **ALEJANDRO PHILLIPS et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on Defendants’ Motion to Excuse their Attendance from the Court-Hosted Settlement Conference (Doc. No. 107), and on the scheduling of the upcoming settlement conference in this matter.

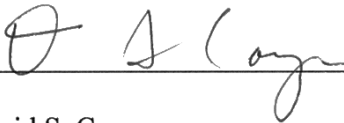
Defendants ask that the Court excuse the individual Defendants and a representative of the insurance carrier for any party against whom a claim is made from attending the settlement conference. Defendants’ counsel represents that NCDPS representatives will attend the conference and will have the authority to negotiate and enter into any binding settlement agreement on behalf of Defendants. Counsel for Plaintiff consents to the Motion. (Doc. No. 107 at 2). Defendants’ Motion will be granted.

It has come to the Court’s attention that the settlement conference, presently scheduled to commence on Tuesday, November 19, 2019 at 10:00 AM, conflicts with another matter set for trial in which Plaintiff’s lawyer, David Q. Burgess, is counsel. The settlement conference will therefore be rescheduled for **Tuesday, December 3, 2019 at 1:00 PM** in the Magistrate Judge’s Courtroom at the Charles R. Jonas Federal Building, 401 West Trade Street, Charlotte, North Carolina 28202.

**IT IS THEREFORE ORDERED** that:

1. Defendants' Motion to Excuse their Attendance from the Court-Hosted Settlement Conference (Doc. No. 107), is **GRANTED**.
2. The Writ of Habeas Corpus ad Testificandum for November 19, 2019 (Doc. No. 106), is **VACATED**.
3. The settlement conference is rescheduled for Tuesday, December 3, 2019 as set forth in this Order.

Signed: November 13, 2019



---

David S. Cayer  
United States Magistrate Judge

