

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:16-CV-707-DCK**

MICHAEL MCCARTER and FRANCES)
SUZETTE MCCARTER,)
)
 Plaintiffs,)
)
 v.)
)
JAMES LOUIS STOUDENMIER,)
)
 Defendant.)
)

ORDER

THIS MATTER IS BEFORE THE COURT regarding pending motions and scheduling concerns. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motions and the record, as well as counsel’s arguments at a Final Pretrial Conference on April 10, 2018, the undersigned will continue the trial in this matter and deny the pending motions in limine without prejudice.

As discussed at the hearing, the parties may conduct a deposition of Dr. Charles Kano; however, unless otherwise consented to by the parties, all other discovery in this matter is concluded. Defendant’s counsel, in his discretion, may file a motion for reasonable fees and expenses associated with his preparation for the Final Pretrial Conference on April 10, 2018.

Any motions filed during the remainder of this case shall indicate that counsel have consulted with each other as required by Local Rule 7.1 (b). Moreover, the parties shall strictly comply with all deadlines set forth in the “Pretrial Order And Case Management Plan” (Document No. 12), the Local Rules, and as directed by the Court.

IT IS, THEREFORE, ORDERED that Plaintiffs' "Motion In Limine As To General Matters" (Document No. 23) is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Plaintiffs' "Motion In Limine To Bar Lien Reduction Argument" (Document No. 24) is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that "Defendant's Omnibus Motion In Limine" (Document No. 25) is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that "Defendant's Motion In Limine To Bar Testimony From Treating Physician Dr. Charles Christopher Kanos, M.D." (Document No. 26) is **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that "Plaintiffs' Motion To Continue the Trial Scheduled For April 16, 2018" (Document No. 35) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that "Plaintiffs' Amended Motion To Continue the Trial Scheduled For April 16, 2018" (Document No. 37) is **GRANTED**.

IT IS FURTHER ORDERED that a trial in this matter, if necessary, will be held during the undersigned's next civil term, which begins **August 20, 2018**. A Final Pretrial Conference will be held on **August 13, 2018**.

SO ORDERED.

Signed: April 11, 2018



David C. Keesler
United States Magistrate Judge

