UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:17-cv-00382-FDW-DCK

SUSAN GAGNON,)	
)	
Plaintiff,)	
)	
VS.)	ORDER and NOTICE
)	
McCLATCHY NEWSPAPERS, INC. and)	
JOHN J. JORDAN,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court *sua sponte* on Plaintiff's filing entitled "Notice of Settlement." (Doc. No. 33). The Notice states that "[g]iven the settlement, the parties shall not be filing pre-trial submissions today, April 23, 2018, and the Court will not need to convene the Final Pre-Trial Conference currently set for April 30, 2018." (Doc. No. 33). However, a notice of settlement does not resolve this case. <u>Cf.</u> Fed. R. Civ. P. 41.

The Parties have been on notice that this case was scheduled for trial to commence during the May 7, 2018 term since the Case Management Order was entered on August 15, 2017. (Doc. No. 9). The Court consistent with the Case Management Order noticed the pretrial conference for April 5, 2018 and subsequently rescheduled the pretrial conference upon Plaintiff's Motion. (Doc. Nos. 27, 31, 33). The Court's March 21, 2018 Order setting the pretrial conference for April 30, 2018 ordered the parties to submit all joint pretrial submissions by April 23, 2018. (Doc. No. 32).

Therefore, the Court issues this order to clarify that the parties' Notice of Settlement does not alter the deadlines established by this Court in the Case Management Order or otherwise. As result, the parties remain obligated to make joint pretrial submissions, attend a pretrial conference, and attend docket call on Tuesday, May 1, 2018, which will be followed by jury selection on May

1, 2018 or May 2, 2018. However, the Court *sua sponte* reschedules the deadlines to allow the parties through 5:00 pm on April 26, 2018 to submit their pretrial submissions to the Court. The Court will hold a pretrial conference as scheduled on April 30, 2018 at 9:00 am.

THEREFORE, IT IS ORDERED that the parties shall submit their pretrial submissions as required by the Case Management Order by 5:00 pm on April 26, 2018 and the parties shall appear for docket call at 9:00 AM on May 1, 2018, to be proceeded by jury selection.

TAKE NOTICE that Docket Call for this case will occur on Tuesday, May 1, 2018 at 9:00 am in Courtroom #1-1 of the Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, N.C. 28202.¹

Signed: April 24, 2018

Frank D. Whitney

Chief United States District Judge

¹ The Court reminds that parties that whenever a civil action scheduled for a jury trial is settled or otherwise disposed of in advance of the actual trial, the Court may assess all jurors' costs (including Marshal's fees, mileage reimbursement, and per diem fees) equally against the parties or otherwise may determine appropriate assessments, unless the Clerk's office is notified at least one (1) full business day prior to the date on which the action is scheduled for trial or the parties establish good cause why the Court should not assess jury costs against them. (Doc. No. 9).