

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CV-00393-MR**

ROBERT BALLARD,)	
)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
)	
FNU HATLEY, et al.,)	
)	
Defendants.)	
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THIS MATTER is before the Court on Plaintiff’s “Writ of Mandamus,” [Doc. 98], which the Court construes as a motion to enforce settlement, and Defendants’ response [Doc. 99].

On January 14, 2021, a judicial settlement conference was conducted in this matter and the parties reached an agreement resolving all issues in this case. [See 1/14/2021 Docket Entry & Doc. 94]. On February 22, 2021, the parties filed a Stipulation of Dismissal with Prejudice, stipulating to the dismissal of all Defendants in this matter. [Doc. 95]. On March 22, 2021, Plaintiff filed a letter with the Court indicating that he had not yet received the settlements proceeds. [Doc. 97]. On April 22, 2021, Plaintiff filed a “Writ of Mandamus” in which he reports that it had been over 90 days and he had not received the settlement funds from Defendants, contrary to the parties’

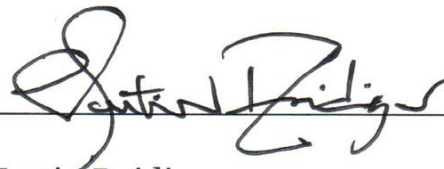
agreement. [Doc. 98]. Plaintiff's requests payment of the settlement funds and asks for an additional \$100.00 for his efforts in obtaining payment. [Id.]. In response, defense counsel states she received Plaintiff's letter regarding the settlement funds on April 22, 2021 and wrote Plaintiff the next day advising him that the funds were in the process of being applied to his account. [Doc. 99 at 1]. As such, it appears that Plaintiff's motion to enforce settlement is moot and will be denied.

ORDER

IT IS THEREFORE ORDERED that Plaintiff's motion to enforce settlement [Doc. 98] is **DENIED**.

IT IS SO ORDERED.

Signed: April 30, 2021



Martin Reidinger
Chief United States District Judge

