

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

<b>ROBERT BALLARD,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>FNU HATLEY, et al.</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the Court on Plaintiff’s “Motion to Settlement Conference.” [Doc. 87].

On October 1, 2020, the parties were ordered to notify the Court within fourteen (14) days of that Order whether they consent for this Court to hold a judicial settlement conference pursuant to Local Civil Rule 16.3(d) in an effort to settle this matter without a trial. Neither party timely responded to the Court’s Order. The Court, therefore, ordered that this matter will proceed to trial as set on or after March 8, 2021 in accordance with the previous Order of this Court. [Doc. 86].

Plaintiff now moves the Court “to set a date for a settlement conference.” [Doc. 87]. Plaintiff states that his “motion has been delayed because Plaintiff has been very sick with an infection in his body.” [Id. at 1].

Plaintiff further states that he has been bedridden for over two years and that his doctor “does not feel [that Plaintiff] could make the trip [from Raleigh, North Carolina] without having health issues.” [Id.]. Plaintiff also states that he cannot sit in a chair for more than 30 minutes at a time. [Id. at 2].

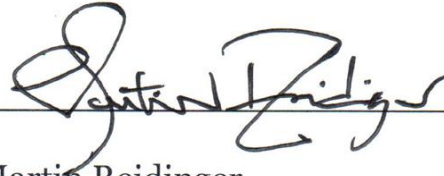
The Court will, therefore, again order Defendants to notify the Court within 14 days whether they consent to judicial settlement conference in this matter pursuant to Local Civil Rule 16.3(d). **Defendants shall respond within 14 days regardless of whether they so consent.** Defendants are strongly encouraged to consent to the conduct of a judicial settlement conference in this matter, not only because of Plaintiff’s medical condition and the difficulties inherent in conducting a trial, but also because of the current Covid-19 pandemic and the general promotion of judicial economy. Furthermore, as Defendants are aware, participation in a judicial settlement conference does not foreclose a trial; it merely provides the parties additional opportunity to settle this case without a trial.

**ORDER**

**IT IS THEREFORE ORDERED** that Defendants shall notify the Court within fourteen (14) days of this Order whether they consent to a judicial settlement conference in this matter.

**IT IS SO ORDERED.**

Signed: December 7, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger  
Chief United States District Judge

