

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ESTATE OF JUAN CARLOS ANDRADE RODRIGUEZ,
EXECUTOR MARCO ANTONIO RODRIGO DE LA TORRE,

Plaintiff,

v.

Case No. 13-01559

UNITED STATES OF AMERICA,

Defendant.

ORDER DIRECTING RESPONSE

This is a wrongful death action against Defendant the United States of America brought under the Federal Tort Claims Act, 28 U.S.C. § 1346 and § 2674. Defendant has filed a third-party complaint for indemnity against Corrections Corporation of America (“CCA”). (Dkt. # 49.) CCA filed a motion for summary judgment on the third-party claims on December 19, 2016. (Dkt. # 89.) On the same day, Defendant filed a motion for summary judgment on Plaintiff’s claims. (Dkt. # 88.) Defendant and CCA jointly requested a stay of CCA’s motion for summary judgment until after Defendant’s liability to Plaintiff was determined, which the court granted. (Dkt. # 104.) The court granted Defendant’s motion for summary judgment in an opinion and order entered April 6, 2017 (Dkt. # 106.)

The court sees no remaining reason to continue the third party claim, but is mindful that the parties may view the matter differently. Accordingly, the court will direct the parties to confer to discuss the status of the case and, if appropriate, submit a proposed closing order agreed upon, in form, by everyone.

IT IS ORDERED that the parties are DIRECTED to confer as discussed above. The parties are further DIRECTED to notify the court, in writing, no later than **April 14, 2017**, whether the matter is fit for closing. If so, the parties are further DIRECTED to submit a proposed closing order, agreed upon as to form, no later than **April 21, 2017**.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 6, 2017

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 6, 2017, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522