

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

AMCO INSURANCE COMPANY,

Plaintiff,

vs.

Civil Action 2:06-CV-472
Judge Frost
Magistrate Judge King

LAUREN-SPENCER, INC., et al.,

Defendants.

CONTINUED PRELIMINARY PRETRIAL ORDER

A continued preliminary pretrial conference was held on July 26, 2007. All parties were represented.

The Court has found a duty to defend and to indemnify¹ on the part of plaintiff. *Opinion and Order*, Doc. No. 24.

The underlying action, *Harris v. OTC*, C-2-04-884, remains pending and may be referred to mediation.

The parties to this action shall consider private mediation and will file a written report on the status of mediation, if any, no later than August 15, 2007.

The parties agree that, until the underlying action is resolved, this action should be stayed.

A continued preliminary pretrial will be held upon the resolution of the pending motions in the underlying case or in four (4) months, whichever is earlier.

Consistent with the *Preliminary Pretrial Order*, Doc. No. 14, and without objection by plaintiff, the claims against defendant Daniel Lee are **DISMISSED**, without prejudice, pursuant to F.R. Civ. P. 4(m).

¹Plaintiff may move for clarification of the scope of the duty to indemnify.

July 26, 2007

s/Norah McCann King
Norah M°Cann King
United States Magistrate Judge