

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

PNC BANK, NATIONAL ASSOCIATION, :
 :
 Plaintiff, :
 :
 vs. : Case No. 3:12cv369
 :
 GATOR PIQUA PARTNERS, LLLP, *et al.*, : JUDGE WALTER H. RICE
 :
 Defendants. :

DECISION AND ENTRY OVERRULING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT AGAINST DEFENDANT JAMES GOLDSMITH
(DOC. #38), WITHOUT PREJUDICE TO RENEWAL AT CONCLUSION OF
ANY NECESSARY DISCOVERY; SUGGESTED MEDIATION DATES;
DISCOVERY CUT-OFF DATE, LEADING TO THE FILING OF MOTION
FOR SUMMARY JUDGMENT, ON AN AS-NEEDED BASIS; DATE TO
REFILE MOTION FOR SUMMARY JUDGMENT, ON AN AS-NEEDED
BASIS

The captioned cause came on to be heard upon a telephone conference call, between Court and counsel, on Monday, March 10, 2014. The following matters were discussed and agreed upon:

1. The Motion of the Plaintiff for Summary Judgment against Defendant James Goldsmith (Doc. #38) is overruled, as prematurely filed, without prejudice to renewal in the same or amended form, on or before June 2, 2014, following mediation and any necessary discovery undertaken to be able to prosecute and defend the aforesaid motion.
2. The following dates were suggested for possible mediation, at the Dayton seat of

court, before either the undersigned or Magistrate Judge Sharon L. Ovington, to wit: April 3rd, April 7th and/or April 10th, starting at 9:30 a.m. Counsel will confer with their clients and with each other, and advise the Court, not later than the close of business on Thursday, March 13, 2014, as to which date is preferable.

3. Should the captioned cause not settle, discovery may then take place until the close of business on Monday, May 12, 2014.

March 11, 2014



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record