



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

ZIAUL M. HOSSAIN,  
Plaintiff

vs.

DUKE ENERGY,  
Defendant.

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CIVIL ACTION NO. 4:18-404-MGL-TER

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**ORDER DENYING DEFENDANT’S MOTION FOR RECONSIDERATION**

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Plaintiff Ziaul M. Hossain filed this action against Defendant Duke Energy (Duke) alleging employment discrimination because of his race and disability. He is proceeding pro se.

Pending before the Court is Defendant Duke Energy’s (Duke) (1) motion for reconsideration of the Court’s October 29, 2018, Order and (2) motion to stay proceedings. Duke misapprehends both the Local Rule applicable to employment discrimination cases filed in this District and the Court’s October 29, 2018, Order.

First, concerning the Local Rule, Local Civil Rule 73.02(B)(g) provides the Clerk of Court will refer to the Magistrate Judge “[a]ll pretrial proceedings involving litigation arising out of employment discrimination cases invoking federal statutes that proscribe fair discrimination employment[.]” Duke’s motions to compel and motion to stay, of course, fall under this rule.

Second, regarding the Order, Duke inexplicably states Duke “requested the Court to compel Plaintiff to comply with his discovery obligations, but the Court Order on that Motion did not address the alternatively-stated Motion to Compel. . . . Defendant respectfully requests that the

Court reconsider Defendant’s alternatively-stated Motion to Compel and issue an Order compelling Plaintiff’s compliance with Defendant’s discovery requests.” Duke’s motion 4-5. Duke’s assertion the Court failed to address its motion to compel is simply not so. In the Court’s October 29, 2018, Order, it specifically held: “Inasmuch as the Magistrate Judge is handling all pretrial matters in this action, . . . the Court is of the opinion it ought to leave the adjudication of Duke’s motion to compel to the wise discretion of the learned Magistrate Judge.” Order 2.

For these reasons, Duke’s motion for reconsideration is **DENIED**. Its motion to stay, along with its motion to compel, will be adjudicated by the Magistrate Judge.

**IT IS SO ORDERED.**

Signed this 5th day of November, 2018, in Columbia, South Carolina.

s/ Mary G. Lewis  
MARY G. LEWIS  
UNITED STATES DISTRICT JUDGE