

08-10084.or16

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA**

Miami Division

Case Number: 08-10084-CIV-MARTINEZ-BROWN

PETER HALMOS, INTERNATIONAL
YACHTING CHARTERS, INC., and HIGH
PLAINS CAPITAL,

Plaintiffs,

vs.

INSURANCE COMPANY OF NORTH
AMERICA and STRICKLAND MARINE
INSURANCE, INC., (f/k/a STRICKLAND
MARINE AGENCY, INC.),

Defendants.

ORDER RE: JOINT MOTION FOR ABATEMENT

This matter is before this Court on Plaintiff and Defendant' s Joint Motion for Abatement (D.E. 698). The Court has considered the motion and all pertinent materials in the file.

The Court being otherwise fully advised in the premises it is hereby Ordered and Adjudged that said motion be and the same is hereby **GRANTED**, as follows:

1. The deadlines set forth in paragraph 2 of the motion - and only those deadlines - are adopted and amended as an Order of the Court.
2. The procedure set forth in paragraph 4 of the motion is adopted and made an Order of the Court.
3. Another mediation conference is scheduled for Thursday, June 10, 2010, commencing

at 10:00 A.M. the provisions of the original order - including requiring person(s)) with full settlement authority to be present and requiring a confidential pre mediation statement are in full force and effect. The statements shall be delivered to chambers on or before the close of business Monday, June 7, 2010.

4. The stipulation in paragraph 6 is made an Order of the Court pursuant to stipulation of all parties. That stipulation provides that in the event this evidentiary hearing takes place it will be "conducted in the manner prescribed by the Court". In the event that this paragraph must be utilized, a conference setting forth the procedures for said hearing will be held. However, dissatisfaction with said procedures by any party shall not be grounds for opting out of this stipulation. This entire order approving the joint motion is contingent on acceptance of same. If any party does not wish to be bound by this agreement, it shall opt out, in writing, within three (3) business days of the docketing of this order.

DONE AND ORDERED in Chambers at Miami, Florida, this 24th day of May, 2010.



STEPHEN T. BROWN
CHIEF UNITED STATES MAGISTRATE JUDGE

cc: Counsel of record