

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BENJAMIN SPECTOR,

Plaintiff,

v.

Case No: 2:17-cv-650-FtM-99CM

SUZUKI MOTOR CORPORATION,

Defendant.

ORDER

This matter comes before the Court upon review of the Stipulation and Joint Motion to Permit David Carlton, Esquire to Serve as Mediator filed on January 8, 2019. Doc. 54. Under this case's Amended Case Management and Scheduling Order ("CMSO"), the parties are required to mediate on or before February 28, 2019. *Id.* at 1; Doc. 46. The CMSO indicated Donna Tisch would serve as the mediator in the case, but Ms. Tisch was not available on the date the parties agreed to for mediation. Doc. 54 at 1. Therefore, the parties request the Court permit them to mediate before David Carlton, Esq., who has served as a Florida Circuit Court mediator since 2012 but is not on the Middle District of Florida's list of approved mediators.¹ *Id.* at 2. Given the circumstances and to avoid unnecessarily altering the CMSO, the Court finds good cause to grant the requested relief.

¹ See United States District Court, Middle District of Florida, Certified Mediators, <https://apps.flmd.uscourts.gov/mediator/pub/MediatorList.pdf> (last visited Jan. 9, 2019).

ACCORDINGLY, it is

ORDERED:

The Stipulation and Joint Motion to Permit David Carlton, Esquire to Serve as Mediator (Doc. 54) is **GRANTED**. The Court will permit David Carlton, Esq. to serve as the mediator for this case on the scheduled date of February 1, 2019.

DONE and **ORDERED** in Fort Myers, Florida on this 9th day of January, 2019.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record