

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

STEVEN J. VIECZOREK and
HEATHER H. VIECZOREK,

Plaintiffs,

v.

Case No. 3:17-cv-1118-J-32JBT

SHAYAN KHORRAMI and A&P
AUTO SALES,

Defendants.

ORDER

This case is before the Court on Defendants Shayan Khorrami and A&P Auto Sales's Motion to Compel Arbitration and Dismiss and/or Abate Action, (Doc. 34), and Plaintiffs Steven Vieczorek and Heather Vieczorek's motion to compel an answer and discovery, (Doc. 37). As stated in its previous Order, (Doc. 36), the Court is actively considering the Motion to Compel Arbitration, (Doc. 34). However, before addressing the arbitration issues, this case should go a settlement conference with a Magistrate Judge. If settlement is unsuccessful, the Court will likely require further briefing on the issues presented in the Defendants' motion and Plaintiffs' response thereto.

Additionally, Defendants' Motion to Compel Arbitration and Dismiss and/or Abate, (Doc. 34), pursuant to Federal Rule of Civil Procedure 12(b)(6), is a response to the Third Amended Complaint. Thus, Plaintiffs' motion seeking compulsion of an answer is moot.¹ As the Court is withholding a Case Management Scheduling Order until it renders a decision on the Motion to Compel Arbitration, (Doc. 34), all discovery shall be stayed until such decision.

Accordingly, it is hereby

ORDERED:

1. This case is **REFERRED** to the Honorable Monte C. Richardson, United States Magistrate Judge, for a settlement conference. Counsel for Defendants is directed to contact Plaintiffs and determine a minimum of three agreeable dates for the settlement conference. Counsel for Defendants shall then provide the dates to the Court by calling Judge Richardson's chambers at (904) 301-6740. Judge Richardson will then select the date for settlement conference.

2. All discovery in this case is **STAYED** until further order of the Court.

3. Plaintiffs' motion seeking compulsion of an answer to the Third Amended Complaint and for discovery, (Doc. 37), is **DENIED as moot**.

¹ Although Defendant's Motion to Compel Arbitration and Dismiss and/or Abate, (Doc. 34), was filed outside of the fourteen day window previously required, (See Doc. 30), the Court accepts the filing as timely.

DONE AND ORDERED in Jacksonville, Florida this 13th day of June,
2018.



TIMOTHY J. CORRIGAN
United States District Judge

jb
Copies:

The Honorable Monte C. Richardson
United States Magistrate Judge

Counsel of record