

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ERIC E. HOYLE,

Plaintiff,

-vs-

08-CV-347-JTC

FREDERICK DIMOND, et al.,

Defendants.

The court conducted a telephone conference with counsel for the parties on May 15, 2013. At that time, counsel expressed a willingness to discuss a possible settlement of the case. To that end, this case is hereby referred to Magistrate Judge Jeremiah McCarthy for the purpose of conducting a settlement conference. Counsel shall contact the chambers of Magistrate Judge McCarthy to schedule the conference and will adhere to Magistrate Judge McCarthy's settlement conference procedures and guidelines.

Additionally, plaintiff's counsel suggested that he may wish to file a motion to amend the complaint or reply. If plaintiff chooses to seek leave to amend, he shall file the motion on or before May 31, 2013. Defense counsel shall file a response to the motion by June 11, 2013. At that time the motion will be considered submitted.

So ordered.

_____\s\ John T. Curtin_____
JOHN T. CURTIN
United States District Judge

Dated: May 15, 2013
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