

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

BURTON W. WIAND,

Plaintiff,

v.

Case No. 8:20-cv-862-VMC-TGW

CHRIS ARDUINI, et al,

Defendants.

_____/

ORDER APPOINTING MEDIATOR

Pursuant to the Notice of Mediation (Doc. # 784), filed on April 22, 2021, and in accordance with the rules governing mediation set forth in Chapter Four of the Rules of the United States District Court for the Middle District of Florida, it is **ORDERED** that the following individual is hereby **APPOINTED** by the Court to serve as Mediator in this action:

Name of Mediator: Gregory P. Holder, Esq.

By agreement of the parties, the mediation conference between the receiver, Defendant Offer Attia, and Defendant David Wilkerson is scheduled for **May 5, 2021, at 1:30 PM** via Zoom videoconference.

The parties are directed to mediate in good faith and to fully and faithfully explore every settlement opportunity.

Furthermore, the Court directs that all counsel, parties, corporate representatives, and any other required claims professionals shall be present at the mediation conference with full authority to negotiate a settlement.


Although the Court usually does not allow mediation by telephone or video conference, the Court will permit the parties to conduct the mediation by video. Participation by telephone will not satisfy the personal attendance requirement unless, in the discretion of the mediator, participation by video is infeasible due to circumstances beyond the control of the parties and their counsel. The parties must notify the mediator reasonably in advance of the mediation that it will take place by video to enable the mediator to prepare satisfactorily.

Now that the mediation has been scheduled, the parties may not unilaterally reschedule the mediation conference – a motion must be filed, and leave of Court obtained, if they seek to reschedule the mediation. In the motion to reschedule, counsel must include the proposed date of rescheduling; the Court reserves the right to deny any motion that seeks to reschedule the mediation conference for a date beyond the mediation deadline previously set by the Court.

Furthermore, neither party may cancel the mediation without first obtaining leave of Court, even if the parties have reached a settlement.

Despite Local Rule 4.03(f), Lead Counsel must file a notice informing the Court of the results of the mediation conference within twenty-four hours from the conclusion of the mediation conference.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 26th day of April, 2021.



VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE