

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ANNETTE TINDALL,)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-2503-JAR
)	
FREIGHTQUOTE.COM, INC., et al.,)	
)	
Defendants.)	

ORDER

This is an employment-discrimination suit brought by the plaintiff, Annette Tindall, against the defendants, Freightquote.com, Inc. and Eric Findley. On August 1, 2012, the undersigned U.S. Magistrate Judge, James P. O'Hara, convened a scheduling conference. The conference was convened following a recent ruling by the Tenth Circuit Court of Appeals in a related case, *Tindall v. Freightquote.com, Inc.*, Case No. 10-2364-EFM ("*Tindall I*"). Ms. Tindall, who is proceeding pro se, appeared on her own behalf.¹ Defendants appeared through counsel, Karen R. Glickstein and Alison P. Lungstrum.

Tindall I, which also involved employment-discrimination claims by Ms. Tindall against Freightquote, was ostensibly settled by the parties. Although the enforceability of that settlement was upheld by presiding U.S. District Judge Eric F. Melgren in *Tindall I*

¹Ms. Tindall was more than an hour late for the conference, which was noticed on July 10, 2012. *See* doc. 38. The court reminds Ms. Tindall that, even as a pro se plaintiff, she is responsible for attending all hearings and arriving promptly. In the hopefully unlikely event this happens again, Tindall is forewarned that sanctions—including dismissal—may be imposed.

and affirmed by the Tenth Circuit,² Ms. Tindall disputed—and apparently continues to dispute—the enforceability of the settlement in *Tindall I*. By contrast, Freightquote intends to assert that settlement as a defense to the claims in this case.

Both sides agreed at the scheduling conference that this case should be stayed pending a ruling by the presiding U.S. District Judge in this case, Hon. Julie A. Robinson, on the anticipated summary-judgment motion by Freightquote based on the settlement in *Tindall I*. The undersigned magistrate judge concurs. Accordingly, all further proceedings in this case are stayed. As agreed by the parties, Freightquote shall file its anticipated summary-judgment motion by September 14, 2012. In accordance with D. Kan. Rule 6.1(d)(2), Ms. Tindall is reminded that any response to Freightquote’s motion is due 21 days after the motion is filed. Any reply by Freightquote must be filed within 14 days of Ms. Tindall’s response.

Within 21 days after Judge Robinson’s ruling on the summary-judgment motion—should the case survive—the parties are instructed to submit an updated planning-meeting report to the undersigned magistrate judge’s chambers. A scheduling conference will be set at that time.

IT IS SO ORDERED.

Dated August 1, 2012, at Kansas City, Kansas.

s/ James P. O’Hara
James P. O’Hara
U.S. Magistrate Judge

²See *Tindall I*, docs. 66 and 94.