

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

DR. DAVID B. RIDPATH,

Plaintiff,

v.

CIVIL ACTION NO. 3:03-2037

BOARD OF GOVERNORS  
MARSHALL UNIVERSITY, et al.,

Defendants.

**ORDER**


The Court has been advised by counsel of the pending settlement of this action. The Court therefore finds it unnecessary to conduct further proceedings or to keep this case on the active docket. Accordingly, the Court **ORDERS** as follows:

1. That the remaining requirements of the Scheduling Order be continued.
2. That the Clerk retire this action from the active docket. The parties may submit an agreed order of dismissal within thirty days of the entry of this Order. Otherwise, dismissal will be without prejudice.

The Court will reinstate this case to the active docket if one of the parties shows good cause for such reinstatement within thirty days of the entry of this Order.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to counsel of record and any unrepresented parties.

ENTER: February 2, 2009

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE