

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 15-12407

DAISY ABDUR-RAHMAN,
RYAN PETTY,

Petitioners-Cross Respondents,

versus

U.S. DEPARTMENT OF LABOR,

Respondent,

DEKALB COUNTY,

Respondent-Cross Petitioner.

No. 15-15376

DEKALB COUNTY,

Petitioner-Cross Respondent,

versus

DEPARTMENT OF LABOR,

Respondent,

DAISY ABDUR-RAHMAN,
RYAN PETTY,

Respondents-Cross Petitioners.

Petitions for Review of a Decision of the
Department of Labor

Before ED CARNES, Chief Judge, BRANCH, and FAY, Circuit Judges.

PER CURIAM:

After hearing oral argument the Court is of the opinion that this case can and should be settled. That is especially true because there is much that each party stands to lose if the Court issues an opinion deciding the matter.

The Court is also of the opinion that the similar issues that are now pending before the Department of Labor Administrative Review Board in case number 14-15435, which the Court referred to that board on March 1, 2018, also can and should be settled. The Court is not clawing back that case but directing that the issues be mediated along with those in this case.

Under Federal Rule of Appellate Procedure 33 and Eleventh Circuit Rule 33-1, this case is referred to the Kinnard Mediation Center in Atlanta for

mediation. All provisions of Eleventh Circuit Rule 33-1(c), (d), (f) & (g) apply to the mediation. The parties and their counsel are directed to telephone the mediators at 404-335-6260 no later than seven days from the date of this order to schedule a convenient time and place to explore a resolution of their differences.

The mediator will issue a report to the Court not later than sixty days from the date of this order, unless that deadline is extended by the Court. The Court will consider extending the deadline if the mediator requests it and indicates that progress is being made toward a settlement and that an extension would be helpful in bringing one about. The Court will not enter any decision in the appeal until the expiration of the deadline or extended deadline, unless it is advised by the mediator before then that there will be no settlement.