



## Mobley et al v. Jackson

2020 | Cited 0 times | W.D. Louisiana | October 8, 2020

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

JEREMY MOBLEY, ET AL. CIVIL ACTION NO: 5:20-cv-00104 VERSUS JUDGE TERRY A. DOUGHTY JAMAAL ROSCOE JACKSON MAGISTRATE JUDGE MARK L. HORNSBY

MEMORANDUM RULING Pending before the Court is a Motion to Enforce Settlement Agreement [Doc. No. 26] filed by Plaintiffs . For the reasons set forth herein, the motion is DENIED as premature. Mobley originally filed a Complaint [Doc. No. 1] against Defendant Jamaal Roscoe on August 7, 2020, and a 90 Day Order Dismissing Case [Doc. No. 25] was entered.

On September 4, 2020, Mobley filed the pending Motion to Enforce Settlement Agreement [Doc. No. 26], and attaching as Exhibit 1, the Executed Settlement Agreement. According to the terms of the Executed Settlement Agreement, Jackson was to pay to Mobley the sum of \$100,000 to be paid in two (2) installments with \$50,000 due by August 31, 2020, and the remaining balance of \$50,000 due by November 1, 2020. In paragraph 1 of the Executed Settlement Agreement is the following language:

2020, the plaintiffs may consider Jackson to be in default of the agreement at which time plaintiffs have the option to take legal action to enforce the Jackson filed a Response [Doc. No. 30] to the motion on October 2, 2020. Mobley filed a Reply [Doc. No. 31] on October 2, 2020. This Court does have authority to enforce a settlement agreement. *Wise v. Wilkie* 955 F.3d 430 (5 th

Cir. 2020). However, according to the specific terms of the Executed Settlement Agreement, if Jackson has not paid the entire sum due by November 1, 2020, plaintiffs have the option to take legal action to enforce the settlement agreement. Since it is not yet November 1, 2020, the Mobleys motion is premature. In the event Jackson has not paid the entire sum of \$100,000 by November 1, 2020, Mobley may refile said motion. For the above reasons, the Mobleys Motion to Enforce Settlement Agreement [Doc. No. 26], is DENIED as premature. MONROE, LOUISIANA, this 8 th

day of October, 2020.

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TERRY A. DOUGHTY UNITED STATES DISTRICT  
JUDGE

