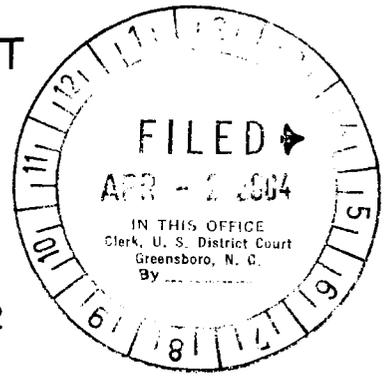


21.

D/cm

UNITED STATES DISTRICT COURT

Middle District of North Carolina



BRENDA J. MINTER,)
Plaintiff,)
v.)
FREEWAY FOOD, INC.,)
Defendant.)

#1:03CV00882

O-R-D-E-R

On March 3, 2004, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action and a copy was given to the court.

Within the time limitation set forth in the statute, neither side objected to the Recommendation. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Defendant's Motion to Compel Arbitration And For Stay Pending Arbitration (docket no. 5) be retained under advisement until such time as a jury resolves the issue of whether an agreement to arbitrate was made.

[Handwritten Signature]
United States District Judge

~~March~~ ^{April} 2, 2004