

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CLARENCE T. JACKSON,	:	
	:	
Plaintiff,	:	Case No. 3:09cv245
	:	
vs.	:	JUDGE WALTER HERBERT RICE
	:	
SELECTTECH SERVICE CORP.,	:	
	:	
Defendant.	:	

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DECISION AND ENTRY OVERRULING , WITHOUT PREJUDICE,  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (DOC. #22);  
PROCEDURES SET FORTH

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Plaintiff brings this litigation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq., alleging that he is the victim of employment discrimination. This matter is now before the Court on Defendant's Motion for Summary Judgment (Doc. #22). Due to protracted discovery disputes, Plaintiff has yet to file his memorandum in opposition to that motion, although same is currently due by the close of business on Monday, October 3, 2011. In an effort to avoid further discovery issues which would delay the resolution of Defendant's motion, this Court relieves Plaintiff of the need to file his memorandum contra by the close of business on the aforesaid October 3, 2011, and sets forth the following procedures:

1. Defendant's Motion for Summary Judgment (Doc. #22) is overruled, without prejudice to renewal in either the same or amended fashion, based upon available materials at the conclusion of discovery;

2. The parties shall certify, in writing, not later than the close of business October 14, 2011, that any and all discovery has been concluded;

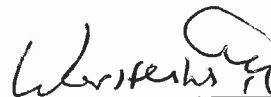
3. Defendant will then have until the close of business on Monday, October 24, 2011, to renew his Motion for Summary Judgment, either by incorporating by reference its previously filed motion, and/or adding whatever addendum thereto it deems necessary, in the light of this Court's extended discovery deadline, in order to demonstrate that a genuine issue of material fact exists.

4. Plaintiff shall have until the close of business on Monday, November 7, 2011, to file his memorandum contra the Defendant's renewed motion; and

5. Defendant shall have until the close of business on Friday, November 18, 2011, to file its reply memorandum.

There will be no deviation from this briefing schedule, in order to guarantee that the trial date of January 30, 2012, will be met.

September 22, 2011



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WALTER HERBERT RICE, JUDGE  
UNITED STATES DISTRICT COURT

Copies to:

Counsel of Record.