

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BARBARA ANN WILSON,)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	CV-10-KOB-2386
CITY OF BIRMINGHAM, et al.,)	
Defendants.)	<u>No Opposition</u>

DEFENDANTS' MOTION TO CONTINUE PRETRIAL CONFERENCE

The Defendants, the City of Birmingham (“City”), a municipal corporation under the laws of the State of Alabama, and the Birmingham Library Board (“Board”), by and through their attorney of record, moves this Court to continue the Pretrial Conference set on Thursday, February 2, 2012 and as grounds therefore say as follows:

1. On January 9, 2012, the Court set a Pretrial Conference in the above styled matter for Thursday, February 2, 2012 at 3:30 p.m.
2. Undersigned Counsel for the Defendants has a specially set deposition of an expert witness flying in from Delaware, MD in another pending federal case starting at 1 p.m. on Thursday, February 2, 2012. Undersigned Counsel believes that it is highly unlikely that the deposition will be concluded by 3:30 p.m.

3. No party to this action will be prejudiced by the granting of this motion. This request is not made for any improper purpose and will not delay or affect any current deadlines in the case. Trial in this matter is tentively set for April 23, 2012.

WHEREFORE, these premises considered, the Defendants respectfully request that the Pretrial conference be continued to a date convenient for the Court. That such other and further relief be provided as the Court may deem proper.

Respectfully submitted,

/s/Fredric L. Fullerton, II
Fredric L. Fullerton, II
Assistant City Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Adam P. Morel, Esq.
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Birmingham, AL. 35209

/s/Fredric L. Fullerton, II
Of Counsel