

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

**THOMAS C. WELLER, JR.,**

**Plaintiff,**

**vs.**

**VAN P. FINGER,**

**Defendant.**

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**CIVIL ACTION NO. 08-0240-CG-C**

**ORDER**

This matter is before the court on the plaintiff's request for trial during the first or second week of December 2009 (Doc. 80).

Upon due consideration of the motion and because this case is third in line to be tried during the month of December, 2009, the request is hereby **GRANTED**. Trial of this case shall begin on December 9, 2009. If an earlier date becomes available, the trial will be moved up to the earlier date.

**DONE and ORDERED** this 30<sup>th</sup> day of July, 2009.

/s/ Callie V. S. Granade  
**CHIEF UNITED STATES DISTRICT JUDGE**