

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

RODNEY A. HURDSMAN *et al.*

PLAINTIFFS

v.

No. 4:09-cv-892-DPM

JAMES L. SALKELD, Director,
Arkansas Department of Labor
& Workforce Education *et al.*

DEFENDANTS

ORDER

Lamkin's and Danner's motions to dismiss, *Document Nos. 106 & 108*, are denied without prejudice. They can be renewed as motions for summary judgment after the imminent discovery is done.

The Court reminds the parties that the case is first out for trial on 9 October 2012. If not resolved by dispositive motion, the case will be tried then. No continuance, absent truly extraordinary circumstances, will be granted in this older case.

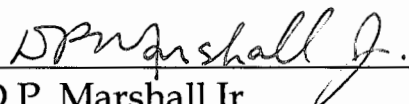
The Court will soon enter an amended final scheduling order. The parties should attend to the clarified procedures for dispositive motions and the new procedures for using depositions at trial. The recent extension of discovery and motion deadlines has created the need for a compressed briefing schedule on dispositive motions. It is:

- Motions Due: 20 August 2012
- Responses Due: 31 August 2012
- Replies Due: 7 September 2012

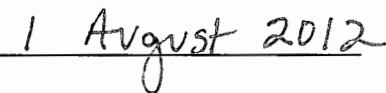
These deadlines will not be extended. The Court will hold a pretrial on 21 September 2012 at 11:00 a.m.

The Court thanks Judge Volpe for all his good work on the case to date. Given the imminent trial date, this Court will handle all matters from here. The referral is withdrawn.

So Ordered.



D.P. Marshall Jr.
United States District Judge



1 August 2012