

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

SMITH COMMUNICATIONS, LLC

PLAINTIFF

v.

Civil No. 09-3086

THE CITY OF EUREKA SPRINGS, ARKANSAS

DEFENDANT

**ORDER**

Among the claims asserted by the plaintiffs in this action is a claim under the Federal Telecommunications Act based on the defendants' denial of a permit for the construction of a wireless facility for telecommunications services. Pursuant to 47 U.S.C. § 332(c)(7)(B)(v), this claim is to be reviewed on the written record on an expedited basis. Accordingly, the Court hereby orders as follows:

- \* the parties shall have 10 days from the date of this order to submit a stipulated written record;
- \* plaintiffs shall have 14 days from the date of this order to submit a brief on the issues presented;
- \* defendants shall have 14 days thereafter to submit a brief in response thereto;
- \* no reply briefs shall be permitted unless leave of Court is first sought.

IT IS SO ORDERED this 12<sup>th</sup> day of January, 2010.

/S/JIMM LARRY HENDREN  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE