

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

SCOTT BRADEN, as Parent and Next Friend of M

PLAINTIFF

v.

Case No. 3:10-CV-03118

MOUNTAIN HOME SCHOOL DISTRICT;  
CHARLES SCRIBER, Individually and in  
His Official Capacity as Superintendent;  
DEBBIE ATKINSON, Individually and as Director  
of Special Education; MICHELLE MCWILLIAMS,  
Individually and in Her Official Capacity as Principal  
of Pinkston Middle School; LINDA WHITE,  
Individually and as Vice Principal of Pinkston Middle School;  
and CASSIE FOWLER, Individually and in Her Official  
Capacity as Teacher of the Alternative Learning Education Classroom

DEFENDANTS

**ORDER**

Currently before the Court is a Joint Motion for Continuance and to Extend Deadlines (Doc. 9). Counsel have informed the Court that neither party has conducted discovery in this case, despite the fact that the Court's Final Scheduling Order of June 13, 2011 (Doc. 7), was entered eight months ago and set the deadline for close of discovery on January 12, 2012, and trial for the week of March 26, 2012. As both parties admit to disregarding the Court's Scheduling Order, they now ask the Court to set new discovery deadlines and a new trial date. Plaintiff's counsel has represented to the Court that a continuance is needed because her family member has experienced serious medical problems; however, Plaintiff's counsel has also represented to the Court that these medical problems began impacting her law practice only recently, in December of 2011, not last summer when the original Scheduling Order was issued in the case at bar.

Because both counsel, in disregarding the Court's Scheduling Order, are unprepared for trial of this matter on March 26, 2012, the Court hereby GRANTS the Motion for Continuance (Doc. 9)

and will issue a Revised Scheduling Order setting forth a new trial date and other deadlines. The Court does not intend to grant any further continuances in this matter. If Plaintiff's counsel is unable to observe the deadlines set forth in the Court's Revised Scheduling Order, the Court advises her to locate other counsel to assist her or to consider non-suiting the case. The terms of the Revised Scheduling Order will be enforced.

IT IS THEREFORE ORDERED that the Joint Motion for Continuance and to Extend Deadlines (Doc. 9) is GRANTED. A Revised Scheduling Order will be issued forthwith.

IT IS SO ORDERED this 8th day of February, 2012.

*P. K. Holmes, III*

P.K. HOLMES, III  
UNITED STATES DISTRICT JUDGE