

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

CITY OF VALPARAISO,

Plaintiff,

vs.

Case No. 3:08cv420/MCR

UNITED STATES AIR FORCE,

Defendant.

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**ORDER**

Oral argument was heard this date on the defendant's motion to dismiss. (Doc. 9). As announced by the court during the proceeding, the motion is DENIED.

The stay of this case entered January 20, 2009, is LIFTED. The scheduling order entered December 17, 2009, is vacated, and no revised scheduling order shall be entered.

The defendant shall file an answer to the amended complaint within thirty (30) days of the date of this order. Dispositive motions shall be filed within thirty (30) days of the filing of the defendant's answer. Upon the filing of motions for summary judgment, the court will enter an order informing the parties that the motions will be taken under advisement **fourteen (14) days** after their filing. See N.D.Fla.Loc.R. 56.1(B).

**DONE and ORDERED** this 17th day of April, 2009.

*s/ M. Casey Rodgers*

**M. CASEY RODGERS  
UNITED STATES DISTRICT JUDGE**