

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

BRIAN VUKADINOVICH,)
Plaintiff,)
vs.) **2:13-cv-00144**
HANOVER COMMUNITY SCHOOL)
CORPORATION, et al.,)
Defendants.)

OPINION AND ORDER

This case is set for trial on June 1, 2015. The defendants have moved to continue the trial because cross-motions for summary judgment are still pending before the Court, the outcome of which could affect trial preparation. (Docket Entry 315.) Plaintiff Brian Vukadinovich opposes a continuance. (DE 316.) As I held in granting a previous trial continuance, under ordinary circumstances the Court would quickly issue an Order resolving summary judgment issues, and trial would proceed as scheduled. However, these aren't ordinary circumstances.

This is a single-plaintiff age discrimination employment case. Nonetheless, there aren't just two competing motions, with the typical attendant briefing, pending before me. Instead, all tied in with the motions for summary judgment, there are thirteen motions pending (not counting the motion to continue). (DE 279, 283, 285, 288, 291, 294, 295, 296, 300, 302, 303, 309, 321.) There are multiple motions to file supplemental exhibits, motions to strike, and motions to file briefs longer than this district's local rules ordinarily permit, as well as a motion for sanctions. Two of these were filed since I granted the previous continuance of the trial date. On top of briefing on thirteen

motions, the parties have attached literally thousands of pages of exhibits. (*See, e.g.*, DE 281, 284, 287, 290, 293, 302, 303, 311.)

In short, the Court has been inundated with filings. This case is, of course, one of many active on the Court's docket. By the parties' own design this case requires substantial extra time for the Court to give it the necessary attention. Given that fact, the parties will need to bear a further delay of trial.

On a related note, the supplemental authority that Plaintiff Vukadinovich seeks to submit via DE 321 is not controlling, and is not from this District. The time for briefing and citing potentially persuasive authority is long past. Additional motions like this one only add to the matters the Court must take up before this case can move to trial. The Motion for Leave to Submit Supplemental Authority is therefore **DENIED**.
(DE 321.)

FOR THE REASONS STATED HEREIN, the defendants' motion to continue the trial date is **GRANTED**. (DE 315.) The current trial setting of June 1, 2015 and final pretrial conference setting of April 17 are **VACATED**. New dates for trial and the final pretrial conference will be set when the Court issues its Opinion and Order addressing the numerous outstanding motions.

SO ORDERED.

ENTERED: March 26, 2015

/s/ Philip P. Simon
PHILIP P. SIMON, CHIEF JUDGE
UNITED STATES DISTRICT COURT