

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHELLE DUNN, individually, and as
Next Friend of J.K.C., a minor

Plaintiff,

Case No. 07-11950

v.

Honorable Patrick J. Duggan

SCHOOL DISTRICT OF THE CITY OF
DETROIT, ASKIA ALLISON,
NATHANIEL COLEMAN, KELLY
TAYLOR and DEREK HARRIS,

Defendants.

ORDER

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on October 21, 2008.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

A settlement conference relating to the above action was scheduled for October 14, 2008. On this date, counsel for Plaintiff and counsel for Defendants appeared. Counsel for Plaintiff advised the Court and defense counsel that he has lost contact with Michelle Dunn, and J.K.C., the minor, and has no idea of their present whereabouts. Counsel for Plaintiff requested that the Court delay this action for thirty (30) days or, in the alternative, to dismiss

this case without prejudice. Based on the information presented to this Court, the Court saw no useful purpose in delaying this action for thirty days.

Counsel for Plaintiff made a motion, on the record on October 14, 2008, to dismiss the complaint without prejudice. Counsel for Defendants agreed with this request with the expressed understanding that, if this case is to be refiled, Plaintiff will be required pay costs as a condition of refiling.

If the present Plaintiff or someone else on behalf of the minor intends to refile this action, such party shall notify the Court and counsel for Defendants of that party's intent to refile. The Court will then make a determination as to the appropriate amount of costs that Plaintiff shall pay to Defendants prior to the refiling of this action. If a complaint is filed without complying with the provisions of this Order, such complaint shall be subject to dismissal.

SO ORDERED.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

Richard L. Steinberg, Esq.
Kenneth L. Lewis, Esq.