

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

James Satchel, *et al.*,

Plaintiffs,

v.

Civil Action No. 16-11518

Dayton Township, *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

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**ORDER**  
**ALLOWING FILING OF AMENDED COMPLAINT**  
**AND AMENDED AFFIRMATIVE DEFENSES**  
**AND DENYING SUMMARY JUDGMENT MOTION WITHOUT PREJUDICE**

As agreed to by the parties, on the record on this date, the Court hereby **ORDERS** that:

- 1) No later than **August 15, 2017**, Plaintiffs may file an amended complaint, in order to amend the allegations concerning the statute that the conspiracy claims are based upon;
- 2) No later than **August 15, 2017**, Defendants may file amended affirmative defenses, in order to state the affirmative defense of legislative immunity;
- 3) If they wish to do so, Plaintiffs may serve interrogatories, limited to the newly-asserted affirmative defense of legislative immunity, within twenty-one (21) days of this order;
- 4) If they wish to do so, Plaintiffs may depose Defendants within sixty (60) days of this order, and such depositions shall be limited to the newly-asserted affirmative defense of legislative immunity.

The Court further **ORDERS** that Defendant's Motion for Summary Judgment, filed on

March 24, 2017 (Docket Entry No. 37) , is **DENIED WITHOUT PREJUDICE**. Within ninety (90) days of this Order, Defendants may file a new summary judgment motion.

**The Court further advises both parties that any future motions and responses pertaining to qualified immunity must address each Defendant separately and include an analysis on a claim-by-claim basis.**

**IT IS SO ORDERED.**

s/Sean F. Cox  
Sean F. Cox  
United States District Judge

Dated: August 8, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 8, 2017, by electronic and/or ordinary mail.

s/Jennifer McCoy  
Case Manager