

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT CARMACK,

Plaintiff,

Case No. 18-cv-11018

Hon. Matthew F. Leitman

v.

CITY OF DETROIT, *et al.*,

Defendants.

**ORDER (1) GRANTING PLAINTIFF'S EMERGENCY MOTION FOR
LEAVE TO FILE A FIRST AMENDED COMPLAINT (ECF #13), (2)
TERMINATING AS MOOT PLAINTIFF'S MOTION FOR AN
EXTENSION OF TIME TO RESPOND TO DEFENDANTS' MOTION TO
DISMISS (ECF #12), AND (3) TERMINATING AS MOOT DEFENDANTS'
MOTION TO DISMISS (ECF #6)**

On March 28, 2018, Plaintiff Robert Carmack filed this action against Defendants the City of Detroit, Mayor Mike Duggan, Gabe Leland, and Eric Sabree. (*See* Compl., ECF #1.) The City of Detroit and Mayor Duggan moved to dismiss Carmack's claims against them on May 10, 2018. (*See id.*) Carmack has now filed two emergency motions with the Court: (1) an emergency motion for an extension of time to file a response to the pending motion to dismiss (ECF #12) and (2) an emergency motion for leave to file a First Amended Complaint (ECF #13). The Court held an on-the-record telephonic status conference with counsel for all parties to discuss the three pending motions on June 6, 2018. (*See* ECF #14.)

For the reasons stated on the record during the June 6, 2018, telephonic status conference, **IT IS HEREBY ORDERED** as follows:

- Carmarck's emergency motion to file a First Amended Complaint (ECF #13) is **GRANTED**. Carmack shall file a First Amended Complaint by no later than **June 20, 2018**. All Defendants shall answer or otherwise respond to the First Amended Complaint by no later than **28 days** after Carmack files that pleading.
- Carmack's emergency motion for an extension of time to respond to Defendants' motion to dismiss (ECF #12) is **TERMINATED AS MOOT** in light of the Court's ruling allowing him to file a First Amended Complaint.
- The City of Detroit and Mayor Duggan's motion to dismiss (ECF #6) is **TERMINATED AS MOOT** in light of the Court's ruling allowing Carmack to file a First Amended Complaint.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 6, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 6, 2018, by electronic means and/or ordinary mail.

s/Holly A. Monda _____
Case Manager
(810) 341-9764