

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Clear Channel Outdoor, Inc.,  
a Delaware corporation,

Civil No. 06-3304 (DWF/AJB)

Plaintiff,

v.

**MEMORANDUM  
OPINION AND ORDER**

City of St. Paul,

Defendant.

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David K. Nightingale, Esq., and Marvin A. Liszt, Esq., Bernick & Lifson, PA, counsel for Plaintiff.

Eric Douglas Larson, Lawrence J. Hayes, Jr., and James F.X. Jerskey, Assistant St. Paul City Attorneys, St. Paul City Attorney's Office, counsel for Defendant.

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On October 26, 2007, the Court heard the parties' cross-motions for summary judgment. Subsequently, the Court ordered the parties into settlement negotiations. (Doc. No. 33.) The Court terminated the summary judgment motions before it due to the ongoing mediation.

It now appears that the parties have reached an impasse in their settlement negotiations. In light of the length of time since the summary judgment motions were filed, the Court respectfully directs the parties to file supplemental briefs of no longer than 10 pages each addressing the matters that remain to be decided by the Court. The parties should also address any changes in the law since the time the summary judgment

motions were heard. These supplemental briefs should be filed with the Court no later than April 10, 2009.

The Court also sets oral argument for the matter to be heard in Courtroom 7C on Friday, May 1, 2009, at 10:00 a.m. If the parties are not available at this time, the Court directs the parties to contact its Calendar Clerk, Gina Olsen, at (651) 848-1296 as soon as possible to schedule a different time for this hearing.

Dated: March 6, 2009

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court