

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

BILL W. WRIGHT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:07CV0056 AGF
)	
CITY OF SALISBURY, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendants’ Motion for Reconsideration of this Court’s Order dated February 18, 2010, denying Defendants’ motion to dismiss Plaintiff’s claim under the Missouri Sunshine Law, Mo. Rev. Stat. § 610.010-.225. Defendants reassert their argument that this Court should not decide matters of state law, especially in light of the newly-presented fact that oral argument in a case raising issues similar to the Sunshine Law issues raised in the present case was recently heard before the Missouri Supreme Court. Upon review of the record, this fact does not change the Court’s conclusion that, weighing the relevant factors in considering whether to dismiss a pendant state law claim, here this Court should resolve the Sunshine Law claim raised by Plaintiff. Because it is possible, though not certain, that the Missouri Supreme Court may address issues pertinent to this Court’s determination, the Court shall stay its ruling pending issuance of the Missouri Supreme Court’s decision in Purcell v. Cape Girardeau County Commission, Case No. SC 90383 (“Purcell”).

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion for Reconsideration is **DENIED**. [Doc. #83]

IT IS FURTHER ORDERED that this Court's determination shall be stayed pending a ruling in Purcell. Defendants shall file notice with the Court within five (5) days of the issuance of the Purcell opinion, and the parties shall have ten (10) days following the filing of such notice simultaneously to file supplemental briefs addressing the impact, if any, of the Purcell opinion on the issues before this Court.

Dated this 9th day of March, 2010.



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE