

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

LEVI YODER, JONAS ZOOK, SAM ZOOK, JOHN
L. HERSHBERGER, MENNO S. HERSHBERGER,
URIE HERSHBERGER, MENNO L. GLICK, ANDY
A. MILLER, DANNIE L. SWARTZENTRUBER,
MOSIE SWARTZENTRUBER, PETER D.
SWARTZENTRUBER, BISHOP HARVEY MILLER,
and BISHOP MOSE MILLER,

No. 09-CV-0007 (TJM/GHL)

Plaintiffs,

ECF CASE

v.

TOWN OF MORRISTOWN, LANETTA KAY
DAVIS, in her official capacity; FRANK L. PUTMAN,
in his official capacity; HOWARD WARREN, in his
official capacity; DAVID STOUT III, in his official
capacity; MARK BLANCHARD, in his official
capacity; CHRISTOPHER COFFIN, in his official
capacity; and GARY TURNER, in his official capacity,

Defendants.

PLAINTIFFS' MOTION FOR LEAVE TO FILE SUR-REPLY

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiffs respectfully move for leave to file a short sur-reply in order to respond to the new issues, as well as the newly asserted motion, raised by Defendants in their Memorandum of Law in Reply to Plaintiffs' Opposition and in Further Support of Defendants' Motion to Dismiss.

Dated: March 2, 2010
New York, NY

Respectfully submitted,

By: /s/Michael T. Mervis

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