

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
Civil Action No. 4:11-cv-00059-BO

**Sirsi Corporation d/b/a  
SirsiDynix,**

Plaintiff,

v.

**Craven-Pamlico-Carteret      Regional  
Library System,                  Library System,**

Defendant.

**Fourth Consent Motion to  
Modify the Scheduling Order**

Plaintiff Sirsi Corporation d/b/a SirsiDynix moves the Court for an Order modifying the Scheduling Order entered in this matter. In support of this motion, SirsiDynix states as follows:

1. On May 8, 2012, the Court entered an Amended Scheduling Order which provided that discovery and mediation will be concluded by July 16, 2012 and dispositive motions will be filed by August 15, 2012.

2. On April 30, 2012, the parties conducted mediation with Richard Boyette acting as mediator. After several productive hours of mediation, the parties agreed that it was appropriate to adjourn the mediation to allow the parties to conduct further financial analysis regarding various settlement options. The parties were hopeful that with additional time, they will be able to resolve the remaining issues and resolve this matter through a settlement agreement.

3. The parties continued to discuss various settlement options, but the parties progress towards reaching a negotiated settlement towards this matter was interrupted at the end of June when the three counties that comprise the CPC Regional all gave notice of their intent to withdraw from the library system on June 30, 2013. As a result, CPC Regional will cease to

exist as of that date. This development has required the parties to essentially start from scratch with their settlement negotiations as potential long term solutions between the existing parties are no longer viable.

4. While the parties are still hopeful that they will be able to settle this matter, out of an abundance of caution, the parties would also like additional time to complete discovery in the event that attempts to resolve this matter are unsuccessful.

5. The undersigned has conferred with counsel for CPC Regional and can report that CPC Regional consents to the relief sought in this motion.

Wherefore, SirsiDyrix requests that the Court modify the Amended Scheduling Order to extend the deadline to complete discovery and mediation until September 17, 2012 and the deadline to file dispositive motions until October 17, 2012.

Dated: July 13, 2012.

**WOMBLE CARLYLE SANDRIDGE & RICE**  
***A Limited Liability Partnership***

By: /s/ Robert T. Numbers II  
ROBERT T. NUMBERS, II (State Bar No. 34134)  
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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **Fourth Consent Motion to Modify the Scheduling Order** was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Lee W. Bettis , Jr.  
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P. O. Box 848  
New Bern, NC 28560  
Email: lwbettis@hotmail.com  
*Attorney for Defendant*

Dated: July 13, 2012.

**WOMBLE CARLYLE SANDRIDGE & RICE**  
*A Limited Liability Partnership*

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