

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

<p>DAVID F. EVANS, et al.,</p> <p style="text-align:center">Plaintiffs,</p> <p style="text-align:center">v.</p> <p>CITY OF DURHAM, N.C., et al.,</p> <p style="text-align:center">Defendants.</p>	<p style="text-align:center">Case No. 1:07CV739</p>
---	---

**ORDER**

Upon consideration of Plaintiffs' Motion to Reopen Case as to Defendant Nifong, and to Set Agreed-Upon Deadline for His Responsive Pleading ("Motion"), and for good cause shown, it is hereby ORDERED that the Motion is GRANTED.

IT IS FURTHER ORDERED that the Clerk of Court shall reopen this action administratively in his records as to the individual defendant MICHAEL B. NIFONG.

IT IS FURTHER ORDERED that Defendant Nifong shall file an answer or motion to dismiss on or before January 15, 2009.

It is so ORDERED this 9<sup>th</sup> day of December, 2008.

  
United States District Court Judge