

1. The City Defendants have filed a motion to stay further proceedings in this case pending appeals taken to the United States Court of Appeals for the Fourth Circuit.

2. Plaintiffs' response to the motion for stay, including brief, is due June 6, 2011, absent action by this Court to expedite the deadline for a response.

3. Unless a stay is ordered, the City Defendants' answer to Plaintiffs' 428-page, 1,388-paragraph, 41-cause-of-action Second Amended Complaint is due June 14, 2011.

4. For the reasons set forth in their motion for stay, the City Defendants have requested that all further proceedings, including answer deadlines, the Rule 26(f) conference of attorneys, initial pretrial disclosures, and discovery be stayed during appeal.

5. The usual response and briefing periods prescribed by LR7.3, MDNC, will not allow the Court an ample opportunity to consider the City Defendants' motion for stay before some deadlines will accrue, and if those deadlines are not expedited as herein requested, the benefit of the relief requested in the motion for stay will be undermined.

6. Accordingly, the City Defendants request that the Court order that responses, including briefs, to the City Defendants' motion for stay be filed on or before midnight on May 24, 2011, and that reply briefs be filed on or before midnight on May 27, 2011.

7. Counsel for the City Defendants have conferred with counsel for Plaintiffs, who have authorized the undersigned to inform the Court that he consents to the expedited deadlines herein requested.

WHEREFORE, Defendant the City of Durham, North Carolina, and the individual City Defendants Patrick Baker, Steven Chalmers, Beverly Council, Ronald Hodge, Jeff Lamb, Lee Russ, Michael Ripberger, David Addison, Mark Gottlieb, and Benjamin Himan respectfully pray that the Court enter an Order requiring that responses, including briefs, to the City Defendants' motion for stay and supporting brief (Doc. 205, 206) be filed on or before midnight on May 24, 2011, and that reply briefs be filed on or before midnight on May 27, 2011.

Respectfully submitted, this the 13th day of May, 2011.

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CERTIFICATE OF ELECTRONIC FILING AND SERVICE

The undersigned hereby certifies that, pursuant to Rule 5 of the Federal Rules of Civil Procedure and LR5.3 and LR5.4, MDNC, the foregoing pleading, motion, affidavit, notice, or other document/paper has been electronically filed with the Clerk of Court using the CM/ECF system, which system will automatically generate and send a Notice of Electronic Filing (NEF) to the undersigned filing user and registered users of record, and that the Court's electronic records show that each party to this action is represented by at least one registered user of record (or that the party is a registered user of record), to each of whom the NEF will be transmitted.

This the 13th day of May, 2011.

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