

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF OHIO WESTERN DIVISION AT DAYTON
(CATCHMENT DISTRICT)

FILED
JAMES BONINI
CLERK

2007 JAN 24 P 4: 44

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST OF COLUMBUS

WAYNE DOYLE

Plaintiff,

Case no. 307-cv-003

-vs.-

District Judge Thomas M. Rose
And Chief Magistrate Judge
Michael R. MerZ

JOHN MC CONAGHA and
the Clark County Library et al,

Defendants.

1. MOTION TO RESCHEDULE PRELIMINARY INJUNCTION HEARING

OBJECTION TO: Judge Merz January 22, 2007, report and recommendations of preliminary injunction, 24th day of January 2007.

IN SUPPORT OF THE FOLLOWING

On January 8, 2007 Judge Merz said: "This case is hereby set for preliminary injunction hearing in Courtroom No. 4 on January 22, 2007, at 9:30 a.m. If at any time and date is impossible for either party, that party shall consult with the opposing party about a possible time and contact the Court's Judicial assistant, DeAnna Perry, to re-set the matter. January 8, 2007.

On Friday, January 19, 2007, Plaintiff Wayne Doyle attempted to reschedule the January 22, 2007 hearing. Wayne Doyle told Lauren

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Ross he would not be at the hearing on the following Monday because he his his transportation was down. Lauren Ross told Wayne Doyle that she was told that since he didn't present a motion to the court to that effect, She was told that the hearing was still scheduled and she would have to be there.

On January,22,2007, Lauren Ross told Judge Merz for the record the plaintiff told her in a telephone call on Friday, 1/19/07," he would not be here as he had no transportation."

On January,22,2007, Plaintiff Wayne Doyle contacted the court to inform them that he wanted to reschedule the hearing because his transportation wouldn't make it to Dayton. The court told me I had to be there on Monday, and that I had to present a motion to the court in order to be excused.

RELIEF SOUGHT

**EAT WHAT YOU SERVE AS YOU SPEAK THROUGH YOUR
ENTRIES.**

HEARING TO BE RESET



Wayne Doyle

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CIVIL MINUTES

CASE NUMBER: 3:07-cv-03 DATE: 01/22/2007

CASE CAPTION: Doyle v. McConagha et al

PROCEEDINGS: Preliminary Injunction Hearing

BEFORE CHIEF UNITED STATES MAGISTRATE JUDGE MICHAEL R. MERZ

COURT REPORTER: Cathy Schutte-Stant

DIGITAL RECORDING #: MRM070122-085342

COURTROOM DEPUTY: Gayle Hays

PLAINTIFF(S) COUNSEL:

DEFENDANT(S) COUNSEL

Lauren Ross

DOCKET ENTRY/ORDERS:

Plaintiff not present; Defense counsel Lauren Ross states for the record the plaintiff told her in a telephone call on Friday, 1/19/07, he would not be here as he had no transportation. The Motion for Preliminary Injunction is taken under advisement and the parties will be advised in writing of the Court's decision.

Convened: 9:35
Recessed: 9:40

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SERVICE

*I herby certify that a true copy of the renewed restraining order
motion was served upon Lauren M. Ross, P.o. Box 1488
Springfield, Ohio 45501-1488 Martin, Browne, Hull& Harper,
P.L.L. One S. Limestone St. Suite 800 by regular mail this
24 day of January 2007.*

Wayne Dayle