

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

ARENA FOOTBALL ONE, LLC,

Plaintiff,

vs.

Case Number: 10-CV-118

ARENA2 OF ARKANSAS, LLC,

Defendant.

**DEFENDANT'S SECOND UNOPPOSED MOTION TO
RESCHEDULE SETTLEMENT CONFERENCE**

Defendant, Arena2 of Arkansas, LLC ("Defendant"), hereby respectfully requests that the Court enter an Order rescheduling the settlement conference, currently scheduled for 11:00 a.m. on October 6, 2010, to 11:00 a.m. on October 18, 2010 and rescheduling the due dates for the parties' settlement conference statements accordingly. In support, Defendant respectfully shows the Court as follows:

1. The Court entered an Order Rescheduling Settlement Conference on August 30, 2010 (Dkt. # 28) setting a settlement conference for October 6, 2010 at 11:00 a.m. The Order further provided a due date for Plaintiff's Settlement Conference Statement of September 22, 2010 and a due date for Defendant's Settlement Conference Statement of September 29, 2010.

2. After the entry of the Order Rescheduling Settlement Conference, Defendant's lead counsel was required to reschedule an out-of-state deposition in another pending action to accommodate the schedule of the opposing counsel in that action, and, as a result, Defendant's lead counsel will not be in Tulsa on October 6, 2010.

3. Defendant respectfully requests that the settlement conference be rescheduled to October 18, 2010 at 11:00 a.m., that the due date for Plaintiff's Settlement Conference Statement

be rescheduled for October 4, 2010, and that the due date for Defendant's Settlement Conference Statement be rescheduled for October 11, 2010. The requested continuance is not opposed by Plaintiff. Defendant's counsel has consulted with the offices of the assigned Adjunct Settlement Judge, James W. Tilly, to confirm that Mr. Tilly has no conflict with the proposed date.

WHEREFORE, Defendant respectfully requests that the Court reschedule the settlement conference and associated due dates for the parties' settlement conference statements as set forth above.

Respectfully submitted,

MOYERS, MARTIN, SANTEE & IMEL, LLP

By: /s/ Michael E. Esmond

Patrick D. O'Connor, OBA #6743

John E. Rooney, Jr., OBA # 7745

Michael E. Esmond, OBA #20841

1100 Mid-Continent Tower

401 South Boston Avenue

Tulsa, Oklahoma 74103

Tele: (918) 582-5281

Fax: (918) 585-8318

Attorneys for Defendant, Arena2 of Arkansas, LLC

Certificate of Service

I hereby certify that on September 22, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants (names only are sufficient):

Thomas L. Vogt
Adam Jeremy Strange
Jones Gotcher & Bogan
Attorneys for Plaintiff

/s/ Michael E. Esmond

Michael E. Esmond, OBA # 20481