

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

MICHAEL BRISCOE,

Plaintiff,

v.

CITY OF NEW HAVEN,

Defendant.

3:09-cv-1642 (CSH)

ORDER

HAIGHT, Senior District Judge:

The hearing on Plaintiff's Motion for a Preliminary Injunction [Doc. 70] and Plaintiff's Motion to Conduct Discovery and Modify Protective Order [Doc. 71] to be held at 11 AM on April 19, 2010 will be an evidentiary hearing at which the parties may present witnesses and documentary evidence, in addition to oral argument. The Court will consider the evidentiary submissions cognizant of the short time which the parties have had to prepare. However, in light of the fact that the motion for preliminary injunction relates to an exam to be given in early May, the Court must expedite the evidentiary hearing on that motion in order to issue a meaningful ruling.

Furthermore, in light of putative intervenor Sean Patton's Motion for Ruling on Motion to Intervene [Doc. 75], filed yesterday, the Court will also hear oral argument at the April 19 hearing on Mr. Patton's pending Motion to Intervene. With respect to Mr. Patton's additional request to be heard at the hearing, on a contingent basis, on the merits of the motion for a preliminary injunction and the discovery motion, Mr. Briscoe and the City of New Haven may file their responses, if any, by noon on April 12, 2010, after which the Court will promptly advise

Mr. Patton of the scope of his participation in the April 19 hearing.

SO ORDERED.

Dated: New Haven, Connecticut, April 7, 2010.

/s/ Charles S. Haight, Jr. _____
Charles S. Haight, Jr.
Senior United States District Judge