

**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:

A telephone conference was held today, in which counsel for the parties and the putative intervenors participated, and the following was discussed and agreed:

In the hearing on Monday, April 19, the Court will hear oral argument first on the City's Motion to Dismiss and on Plaintiff's Motion to Amend, in the manner set forth in the Court's Order of April 12 [Doc. 86], except that the time limits set forth in that Order are eliminated, and the parties shall have whatever time is reasonably necessary to make their arguments. Oral argument will follow immediately thereafter on the pending motions to intervene.

Argument and the evidentiary hearing, if one is to be had, on Plaintiff's motion for a preliminary injunction will not take place on April 19 and is deferred until after the Court issues its ruling on the motion to dismiss. The Court will rule on the motion to dismiss, and if necessary, Sean Patton's motion to intervene, by the close of business on April 21.

If the Court concludes that there is still call for an evidentiary hearing on the motion for a preliminary injunction after issuing the ruling on the motion to dismiss, the hearing on the

preliminary injunction will commence on Friday, April 23 and will continue, if needed, on Monday, April 26, which will permit the court to issue a decision before the exam, which begins on Friday, April 30.

Plaintiff's reply, if any, to his Motion to Amend is due by noon on Friday, April 16. Also by that date and time, Plaintiff and the City shall file statements of their positions on Matthew Marcarelli's recent motion to intervene, which was filed on April 8.

SO ORDERED.

Dated: New Haven, Connecticut, April 14, 2010.

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