

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

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RESOLUTE PARTNERS, LLC	:	3:12 CV 1291 (JBA)
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	:	
v.	:	
	:	
BASECOM CONSTRUCTION, INC.	:	DATE: DECEMBER 6, 2012
	:	
-----X	:	

ORDER REGARDING SCHEDULING

The factual and procedural history behind this litigation has been set forth in considerable detail in this Magistrate Judge's Interim Ruling Regarding Standstill Order, filed November 30, 2012 (Dkt. #56) ["November 2012 Ruling"], familiarity with which is presumed. As set forth in the November 2012 Ruling, the pace at the evidentiary hearing on plaintiff's Motion for Preliminary Injunction held on November 27-28, 2012 was slower than counsel and the Court had anticipated, none of the five open dates in December 2012 were convenient for counsel and/or the parties, and a fourth telephonic status conference was scheduled for December 5, 2012, for the seemingly simple task of selecting among the multiple days the Magistrate Judge had offered to counsel in January 2013. (At 3-4; see also Dkts. ##51-53).

During the December 5, 2012 telephonic status conference, starting at approximately 11:00 a.m. (Dkts. ##52, 60), counsel suggested a variety of procedural options, which were new to the Court and opposing counsel, in lieu of resumption of the evidentiary hearing in January 2013. As a result, the Magistrate Judge excused herself from the conference, instructed counsel to confer further with one another as to which route made the most sense (see November 2012 Ruling at 5, n.2), and further instructed counsel to resume the

telephonic status conference during the afternoon. Counsel did not contact this Magistrate Judge's Chambers yesterday nor at any time today.

The Magistrate Judge cannot hold open the entire month of January 2013 waiting for a response from counsel. Therefore, **by 5:00 p.m., December 7, 2012, counsel shall file, either individually or jointly, a status report, indicating on which days in January 2013 or early February 2013, counsel and their clients are available to continue the evidentiary hearing, or if an alternative process has been agreed to by all counsel. Absent these status reports, the Magistrate Judge WILL schedule the continued evidentiary hearing without extending any further courtesies to counsel and their clients in attempting to accommodate their schedules, and counsel and their clients MUST be available at the time set by the Court.**

Dated at New Haven, Connecticut, this 6th day of December, 2012.

/s/ Joan G. Margolis, USMJ
Joan Glazer Margolis
United States Magistrate Judge