

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Cheryl Compton, John Mills, Moon Jung,)	
<i>et al.</i>)	
)	
Plaintiffs,)	Cause No. 4:11-cv-1975-CEJ
)	
v.)	
)	
St. Louis Metropolitan Police Department,)	
<i>et al.</i>)	
)	
Defendants.)	

**MOTION WITHOUT OBJECTION FOR EXTENSION OF TIME AND
CONTINUANCE OF HEARING FOR PRELIMINARY INJUNCTION WITHOUT
OBJECTION**

Come now Plaintiffs, by and through counsel, pursuant to Rule 7(a)(1)(A) of the Federal Rules of Civil Procedure and for good cause shown set forth below request an extension of time to prepare for and continuance of the Hearing for Preliminary Injunction scheduled to occur on November 15, 2011 at 9:00 am.

1. The twenty-four plaintiffs brought this action for emergency Temporary Restraining Order, which was heard just and decided just before midnight on Veteran’s Day, November 11, 2011, in order to try and enjoin police action against their political assembly and demonstration located in Keiner Plaza on Market Street in downtown St. Louis, Missouri.

2. The matter was heard and a Temporary Restraining Order was denied. Your honorable Judge Jackson correctly scheduled a hearing for the Motion for Preliminary Injunction to occur immediately or as soon as possible thereafter to prevent further Constitutional violations from continuing any longer than absolutely necessary.

3. Counsel for plaintiffs include the following three attorneys: Cynthia D.

West, Joseph P. Welch, and Margaret Ellinger-Locke. Two of the three attorneys are unavailable for hearing on Tuesday, November 15, 2011.

4. Attorney Cynthia D. West has two family court matters and one deposition scheduled to occur on the morning of November 15, 2011. Moreover, her three-year old son and four-month old son have simultaneously come down with colds and fevers.

5. Attorney Margaret Ellinger-Locke is scheduled for trial in Montgomery County at 9:00 am on November 15, 2011.

6. Counsel for the plaintiffs do not file this request to delay the matter, especially because counsel prefer to immediately put a stop to the serious and irreparable infringements on the plaintiffs' Constitutional rights that they suffer at the acts of the defendants, but have no other choice than to respectfully request a continuance of the hearing until the matter can be properly prepared and presented.

7. Having contacted and informed counsel for defendants of the foregoing, counsel for defendants state that they would prefer to go forward on November 14, but do not object to this matter being continued.

WHEREFORE, plaintiffs, by and through counsel respectfully request that this Honorable Court grant an extension of time to prepare for the Hearing for Preliminary Injunction and continue the matter for two additional days until Thursday, November 17, 2011.

Respectfully submitted,

/s/ Cynthia D. West

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned hereby affirms that a true and accurate copy of the foregoing was served upon all parties of interest by way of regular mail this 14th day of November, 2011, and by filing with the Court's CM-ECF filing system, which sends an email to parties entered on the case.

Cynthia D. West