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12 **IN THE UNITED STATES DISTRICT COURT**
 13 **FOR THE DISTRICT OF ARIZONA**

14 Daniel Arthur Gutenkauf,
 15 Plaintiff,
 16 v.
 17 City of Tempe, et al.,
 18 Defendants.

No. CV 10-2129-PHX-FJM

**TEMPE DEFENDANTS MOTION TO
 CONTINUE SCHEDULING
 CONFERENCE**

(Assigned to the Hon. Frederick J.
 Martone)

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 P.O. Box 5002
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19 Defendants City of Tempe, Hugh Hallman, Susan Hallman, Joel Navarro, Mark W.
 20 Mitchell, Debra Mitchell, P. Ben Arredondo, Ruthann Albrighton-Arredondo, Shana Ellis,
 21 Richard Antonio, Onnie Shekerjian, Brian Hart Shekerjian, Corey D. Woods, Jan Hort,
 22 Gerald J. Hort, Charlie W. Meyer, Deborah W. Meyer, Thomas Ryff, Rose Ann Ryff,
 23 Noah Johnson, Jennifer Johnson, Aaron Colombe, Susan Colombe, Bianca Gallego,
 24 Kerby Rapp, Lillian Rapp, Shelly Seyler, Louraine C. Arkfeld, Mary Jo Barsetti, David E.
 25 Nerland, Nancy Rodriguez, David J. McAllister, Jaquelina McAllister, and Michael
 26 Greene (collectively the "Tempe Defendants"), by and through undersigned counsel,
 27 hereby moves the Court for its Order continuing the Rule 16 Scheduling Conference in
 28 this matter. On March 31, 2011, the Court issued an order (Doc. #89) setting the
 scheduling conference in this matter for Friday, June 17, 2011, at 2:00 p.m. However,
 undersigned counsel will be out-of-state for a previously scheduled trip from June 8, 2011

1 through June 19, 2011; therefore, he will be unable to attend the scheduling conference.
2 While the Court in its order allowed the parties to appear telephonically, undersigned
3 counsel anticipates that he will be travelling from one location to another at the time of the
4 scheduling conference and will not have access to a landline telephone.

5 Therefore, undersigned counsel respectfully requests that the Court continue the
6 scheduling conference to its earliest convenient date after Tuesday, June 20, 2011.

7 DATED this 6th day of April, 2011.

8 TEMPE CITY ATTORNEY'S OFFICE

9
10 /s/ Clarence E. Matherson, Jr.
11 Andrew B. Ching
12 Clarence E. Matherson, Jr.
13 Catherine M. Bowman
14 21 E. Sixth Street, Suite 201
15 P.O. Box 5002
16 Tempe, Arizona 85280
17 Attorneys for Tempe Defendants

18 CERTIFICATE OF SERVICE

19 I hereby certify that on April 6, 2011, I electronically transmitted the attached
20 document to the Clerk's Office using the CM/ECF System for filing and mailed a copy of
21 same to:

22 Daniel Arthur Gutenkauf
23 1847 E. Apache Blvd., #41
24 Tempe, AZ 85281
25 Plaintiff

26 I further certify that on April 6, 2011, the attached document was hand-delivered
27 to:

28 HONORABLE FREDERICK J. MARTONE
United States District Court
Sandra Day O'Connor U.S. Courthouse, Suite 526
401 W. Washington Street, SPC 62
Phoenix, AZ 85003

Tempe City Attorney's Office
21 East Sixth Street, Suite 201
P.O. Box 5002
Tempe, Arizona 85280

1 /s/ Raquel Gomez

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