

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN D. FRESHWATER, et al.,

Plaintiffs,

v.

**Case No. 2:09-cv-464
JUDGE GREGORY L. FROST
Magistrate Judge King**

**MOUNT VERNON CITY SCHOOL
DISTRICT BOARD OF EDUCATION, et al.,**

Defendants.

ORDER

This matter came on for consideration upon the Plaintiff's Motion for Leave to File Memorandum Contra to Defendant Weston's Motion to Dismiss. (Doc. # 32.) The Court **GRANTS** said motion.

The Clerk is instructed to detach the Memorandum Contra (Doc. # 32) and file as of this date. The Court finds the Memorandum Contra is timely filed.

The parties shall adhere to the following briefing schedule:

1. Reply shall be filed no later than October 5, 2009.
2. Non oral hearing is scheduled for October 6, 2009.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE