

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BLAINE COLEMAN,

Plaintiff,

Civil Case No.

11-cv-15207

vs.

HON. MARK A. GOLDSMITH

ANN ARBOR TRANSPORTATION
AUTHORITY, et. al.

Defendants.

ORDER RE: EVIDENTIARY HEARING

Pending before the Court is Plaintiff's motion for preliminary injunction and/or temporary restraining order (Dkt. 3), on which the Court heard oral argument on April 17, 2012. Following oral argument, the Court conducted a conference with counsel on May 10, 2012 to discuss the advisability of conducting an evidentiary hearing or accelerated trial. Plaintiff's counsel expressed a preference for the Court to rule based on the current state of the record, while Defendants' counsel expressed a preference for an extended period of discovery followed by an evidentiary hearing and/or trial. The Court concludes that the issues raised by Plaintiff's motion require greater factual development. Moreover, given that Plaintiff is seeking preliminary injunctive relief, an accelerated schedule is necessary. Accordingly, the Court orders as follows:

1. The Court will conduct an evidentiary hearing in this matter on July 23, 2012 at 9:30 a.m., addressing the following issues:

- (i) the reason(s) for the rejection of Plaintiff's advertisement,
- (ii) the history of Defendants' enforcement of the advertising policy.

By stipulation of all parties, other issues may be raised at the evidentiary hearing. If a party wishes to raise an issue, but there is objection from any other party, then the party seeking to raise the issue

shall contact the Court's case manager, Deborah Goltz, to arrange a conference with the Court to resolve the issue.

2. Expedited discovery shall be conducted under the following accelerated procedures:

(i) Responses to written discovery requests, including interrogatories, document requests, requests to admit and subpoenas duces tecum, shall be served within 10 days of service of the written discovery request. Documents responsive to any such request shall be served within that time frame, as well. If objection is made to the production of a particular document or category of documents, such document(s) need not be produced. In such event, the parties shall confer about any such objection(s). If the objection is not resolved, the party seeking production shall contact this Court's case manager no later than 14 days after service of the discovery request to arrange a conference with the Court to resolve the issue.

(ii) Depositions may be conducted on 10 days' notice. If any party objects to any matter pertaining to a deposition in advance of the deposition, such party shall confer with all parties regarding the objection. If the objection is not resolved, the objecting party shall contact this Court's case manager no later than three days after the objection is raised to arrange a conference with the Court to resolve the issue. If any objection arises during the course of a deposition, the parties shall contact the Court's case manager by phone immediately to seek the Court's guidance and/or decision regarding the objection.

SO ORDERED.

Dated: May 29, 2012
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 29, 2012.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager