

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

| | | |
|--------------------------------------|---|---|
| ELLEN MISHAGA, |) | |
| |) | |
| Plaintiff, |) | No. 10-cv-03187-SEM |
| |) | |
| v. |) | |
| |) | JOINT MOTION TO VACATE TRIAL AND |
| HIRAM GRAU, Director of the Illinois |) | ASSOCIATED PRE-TRIAL DEADLINES |
| Department of State Police; MICHAEL |) | |
| W. VORREYER, Master Sergeant, |) | |
| Illinois Department of State Police, |) | |
| |) | |
| Defendants. |) | |
| |) | |

Plaintiff, Ellen Mishaga and Defendants, Hiram Grau and Michael W. Vorreyer, respectfully request this Court to vacate the trial date in this matter. The grounds for this Motion are as follows:

1. On March 18, 2011, this Court issued an Order setting trial in this matter for January 9, 2012. Also, the final pre-trial conference was set for December 22, 2012.
2. On October 3, 2011, the parties filed cross-motions for summary judgment (Doc. 19 and 22).
3. On November 10, 2011, the parties completed briefing on their motions for summary judgment (Doc. 25 and 26). These motions are still pending. The outcome of these motions could obviate the need for a trial.
4. On November 17, 2011, this Court issued an Order resetting trial in this matter for February 7, 2012. Also, the final pre-trial conference was reset for January 23, 2012, at 11:00 a.m. in Courtroom 1 in Springfield, Illinois. In addition, motions in limine and findings of fact and conclusions of law are also due that day.

5. In order to conserve judicial resources, the parties respectfully request the Court to vacate the trial set for February 7, 2012, and associated pre-trial deadlines.

DATED this 5th day of January 2012.

Respectfully Submitted:

/s/ James M. Manley
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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of January 2012, I filed the foregoing document using the CM/ECF system and caused counsel of record to be served electronically through the CM/ECF system.

/s/ James M. Manley
James M. Manley