## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION	)
OF CRUELTY TO ANIMALS, et al.,	)
Plaintiffs,	) )
V.	) ) Civ. No. 03-2006
RINGLING BROTHERS AND BARNUM & BAILEY CIRCUS, et al.,	) (EGS/JMF) ) )
Defendants.	) )

## UNOPPOSED MOTION FOR A STATUS CONFERENCE AND SUPPORTING MEMORANDUM

Plaintiffs request that the Court set a status conference in this case as soon as the Court's calendar permits. There are several matters pending before the Court, and plaintiffs would like the Court to set a trial date for this case, as well as a pre-trial schedule.

Plaintiffs's counsel have conferred with defendants about the request for a status conference and a proposed schedule. Defendants do not oppose scheduling a status conference, and counsel for defendants have represented that they are available for such a conference on the following dates: September 7, 12-14, and 19-20, 2006. Plaintiffs's counsel are also available on those dates.

Defendants' counsel have represented to plaintiffs' counsel that it is their position that there is no need to set a schedule for this case because defendants are planning to move for summary judgment and also intend to move for a stay of discovery pending the resolution of such a motion. However, it is plaintiffs' position that this case has already been substantially delayed,

and that it is time to set a trial date that will hopefully ensure the resolution of this case by some time next year. While defendants are free to move for summary judgment at this juncture, this should not be a basis for staying discovery or postponing a schedule for the resolution of the case.

Accordingly, plaintiffs respectfully request that the Court set a status conference on these matters as soon as the Court's calendar permits.

Respectfully submitted,

/s/

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