

11-07807/233984

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Attorneys for City Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

KIRK C. FISHER,

Plaintiff,

vs.

LOUIS KEALOHA, as an individual
and in his official capacity as Honolulu
Chief of Police; PAUL PUTZULU, as
an individual and in his official capacity
as former Honolulu Acting Chief of
Police; CITY AND COUNTY OF
HONOLULU; HONOLULU POLICE
DEPARTMENT and DOE
DEFENDANTS 1-50,

Defendants.

) CIVIL NO. CV11 00589 ACK-BMK
)
)
) STIPULATED MOTION TO ALLOW
) CITY DEFENDANTS AN
) EXTENSION OF TIME WITHIN
) WHICH TO FILE CITY
) DEFENDANTS' MOTION FOR
) RECONSIDERATION OF JUNE 29,
) 2012 ORDER GRANTING
) PLAINTIFF KIRK C. FISHER'S
) MOTION FOR A PRELIMINARY
) INJUNCTION, AND TO ALLOW
) CITY DEFENDANTS TO FILE AN
) ANSWER TO PLAINTIFF'S FIRST
) AMENDED COMPLAINT;
) CERTIFICATE OF SERVICE

_____)
STIPULATED MOTION TO ALLOW CITY DEFENDANTS AN
EXTENSION OF TIME WITHIN WHICH TO FILE CITY
DEFENDANTS' MOTION FOR RECONSIDERATION OF JUNE 29, 2012
ORDER GRANTING PLAINTIFF KIRK C. FISHER'S MOTION FOR
A PRELIMINARY INJUNCTION, AND TO ALLOW CITY DEFENDANTS
TO FILE AN ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT

Defendants CITY AND COUNTY OF HONOLULU ("City") and LOUIS KEALOHA ("Kealoha") (hereinafter collectively referred to as the "Defendants" or "City Defendants"), by and through their attorneys, Robert Carson Godbey, Corporation Counsel, and D. Scott Dodd, Deputy Corporation Counsel, hereby move, without opposition, this Honorable Court for an order permitting the City Defendants an Extension of Time Within Which to File a Motion for Reconsideration of June 29, 2012 Order Granting Plaintiff Kirk C. Fisher's Motion for a Preliminary Injunction (Doc. No. 35), and to Allow City Defendants to File an Answer to Plaintiff's First Amended Complaint filed June 14, 2012 ("FAC") (Doc. No. 31), and respectfully state as follows:

1. On June 14, 2012, the date of the hearing on Plaintiff's motion for preliminary injunction, Plaintiff filed his FAC.
2. On June 29, 2012, the Court issued its Order Granting Plaintiff Kirk C. Fisher's Motion for Preliminary Injunction ("June 29, 2012 Order") (Doc. No. 35).
3. Pursuant to LR60.1, motions for reconsideration asserted under

subsection (c) of said rule must be filed and served not more than fourteen (14) days after the court's written order is filed, which would be Friday, July 13, 2012.

4. Counsel for the parties have discussed the case and are attempting to determine if a settlement can be reached in light of the Court's June 29, 2012 Order. Counsel for the parties believe that settlement negotiations may be more productive in resolving this matter than further litigation of this matter.

5. Counsel for the Defendants has family visiting the week of July 9, 2012 and will be out starting in the afternoon of Tuesday, July 10, 2012.

6. Plaintiff's counsel and counsel for the Defendants have agreed that Defendants shall have up to and including Friday, July 27, 2012 to file any motion for reconsideration of the Court's June 29, 2012, as well as to file an answer to Plaintiff's First Amended Complaint.

7. The City Defendants respectfully request that this Court grant an extension until Friday, July 27, 2012 for the Defendants to file such a motion and to file their answer to Plaintiff's First Amended Complaint.

WHEREFORE, the City Defendants respectfully requests that this Court grant the requested extension and allow the City Defendants until Friday, July 27, 2012 to file a motion for reconsideration of the Court's June 29, 2012 Order and to file an answer to Plaintiff's First Amended Complaint.

DATED: Honolulu, Hawai'i, Monday, July 9, 2012.

ROBERT CARSON GODBEY
Corporation Counsel

By: /s/ D. Scott Dodd
D. SCOTT DODD
Deputy Corporation Counsel

Attorney for City Defendants

By: /s/ Donald L. Wilkerson
DONALD L. WILKERSON, ESQ.
TE-HINA ICKES, ESQ

Attorneys for Plaintiff
KIRK C. FISHER

APPROVED AND SO ORDERED.

DATED: Honolulu, Hawaii, July 12, 2012.



Alan C. Kay
Alan C. Kay
Sr. United States District Judge