

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JEAN BATTY; EDWARD RUSSO; MARY	)	
LEARNING; KEN TRUDELL; MATT WOLF;	)	C.A. 15-10238-FDS
PAUL P. BARNETT; CRAIG VACCA; DAVID	)	
GOLDMAN; JANELLE GOLDMAN; and	)	
COMMONWEALTH SECOND AMENDMENT,	)	
INC.,	)	
<b>Plaintiffs</b>	)	
	)	
v.	)	
	)	
KEN ALBERTELLI, in his Official Capacity as	)	
Chief of the Winchester Police Department;	)	
RICHARD C. GRIMES, in his Official Capacity as	)	
Chief of the Weymouth Police Department;	)	
WILLIAM TAYLOR, in his Official Capacity as	)	
Superintendent of the Lowell Police Department;	)	
and DAVID A. PROVENCHER, in his Official	)	
Capacity as Chief of the New Bedford Police	)	
Department,	)	
<b>Defendants</b>	)	

**ASSENTED MOTION OF DEFENDANT, WILLIAM TAYLOR, SUPERINTENDENT  
OF THE LOWELL POLICE DEPARTMENT, TO CONTINUE JULY 21, 2015  
HEARING DATE TO WEEK OF AUGUST 24, 2015  
(FIRST REQUEST FOR CONTINUANCE)**

Defendant, William Taylor, Superintendent of Police for the Lowell Police Department ("City"), hereby moves, with the assent of each party to this case, to continue the July 21, 2015 hearing on the City's Motion to Stay, and in support of this assented Motion, the City states the following:

1. This Honorable Court (Saylor, J.) set a date of July 21, 2015 for a hearing on the City's Motion to stay this action under R.R. Comm'n of Texas v. Pullman Co., 312 U.S. 496 (1941) ("Pullman").

2. A scheduling conflict has arisen on the part of the City's undersigned legal counsel regarding the court hearing date, and the City respectfully asks this Honorable Court to continue the subject hearing to a date of the Court's choosing during the week of August 24, 2015.

3. The City, by and through its undersigned legal counsel, conferred with legal counsel for all parties in this case in advance of this filing, and each party assents to the requested continuance. Counsel also inquired of the earliest common availability of all of the parties' attorneys and learned that counsel are available during the week of August 24, 2015.

4. This assented Motion constitutes the first request to continue the subject hearing date.

WHEREFORE, the City respectfully requests that this Honorable Court grant this assented Motion, and reschedule the July 21, 2015 motion hearing to a date during the week of August 24, 2015.

July 16, 2015

Respectfully submitted,  
DEFENDANT, WILLIAM TAYLOR,  
SUPERINTENDENT, LOWELL POLICE  
DEPARTMENT

/s/ Kenneth J. Rossetti

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ASSENTED:

PLAINTIFFS

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing document was filed through the Electronic Case Filing System for filing and electronic service to the registered participants as identified on the Notice of Electronic Filing on July 16, 2015.

/s Kenneth J. Rossetti

Kenneth J. Rossetti, 1<sup>st</sup> Assistant City Solicitor