

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

E. A. RENFROE & COMPANY, INC.,))	
)	
Plaintiff,))	CIVIL ACTION NO.
)	
-vs.-))	2:06-CV-1752-S-WMA
)	
CORI RIGSBY MORAN and))	Judge William M. Acker, Jr.
KERRI RIGSBY))	
)	
Defendants.))	
_____))	

JOINT MOTION TO CONTINUE PRETRIAL CONFERENCE AND SET BRIEFING SCHEDULE

The Court has previously granted summary judgment in favor of Plaintiff, E. A. Renfroe & Company, Inc., (“Renfroe”) on Defendants’ liability for breach of contract, set the issue of damages on the contract claim for trial and set a pretrial conference for January 15, 2009. Having agreed that the remaining issues may be resolved by motions without trial, the parties jointly request that the pretrial conference be continued and a briefing schedule be ordered.

The parties have stipulated that the damage issues can be most efficiently adjudicated by motion without need for trial. The parties waive their rights to a trial on damages under the contract claim and stipulate to have the issues of Renfroe’s entitlement to recovery decided on motions.

The parties have agreed upon the following proposed briefing schedule deadlines:

Plaintiff's motion(s) to be filed not later than January 30, 2009;

Defendants' response(s) to be filed within two weeks of service of Plaintiff's motion(s); and

Plaintiff's reply(s), if any, to be filed within ten days of service of Defendants' response(s).

ACCORDINGLY, the parties jointly ask the Court to continue the pretrial conference currently set for January 15, 2009 and accept the parties' proposed briefing schedule.

Respectfully submitted this 14th day of January 2009.

By: **/s/ Jack E. Held**
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*For the Defendants, Cori Rigsby and
Kerri Rigsby*