UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

FILED
U.S. DISTRICT COURT

RICKY L. MOORE and KATHRYN M. MOORE,
Plaintiffs

v.

Civil Action No. 05-30010-MAP

KERRY P. STEARNS, LAURIE C. NIKITUK and POND PASTURE, INC.,
Defendants

MOTION TO CONTINUE SCHEDULING CONFERENCE

Now comes Richard J. O'Brien, as attorney for the Defendant, Laurie C. Nikituk, and respectfully requests that the Court continue and/or reschedule the Scheduling Conference presently scheduled for June 30, 2005. In support of this Motion, the Defendant, Laurie Nikituk's counsel states as follows:

1. He is presently scheduled to be with his family on vacation in Europe, departing June 29, 2005.

2. After consulting with the Court, Attorney O'Brien was advised to contact all counsel in the case and obtain alternate days.

3. Upon consulting other counsel in this case, July 25th or 26th are available, mutually convenient days for all counsel.

WHEREFORE, the Defendant, Laurie C. Nikituk's counsel, respectfully requests that this Court continue and/or reschedule the Scheduling Conference in this matter to July 25 or 26.

Respectfully submitted,

LAURIE C. NIKITUK,
Defendant

By: _____
Her Attorney
Richard J. O'Brien, Esquire
75 North Street, Suite 310
Pittsfield, MA 01201
(413) 499-5656
BBO #552285

Dated: June 20, 2005

CERTIFICATE OF SERVICE

I, Richard J. O'Brien, hereby certify that on this 20th day of June, 2005, I caused a copy of the foregoing Motion to be forwarded to Bradford B. Moir, Esquire, Moir & Ross, 45 Broad Street, Suite 2, Westfield, Massachusetts 01085 and Peter J. Brewer, Esquire, 32 Mahaiwe Street, Great Barrington, MA 01230.

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Richard J. O'Brien, Esquire