

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ADELINE E. RICHARDS,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 1:11-cv-446-DBH
)	
CITY OF BANGOR, MAINE,)	
)	
DEFENDANT)	

**ORDER ON PLAINTIFF’S MOTION TO CONTINUE
LOCAL RULE 56 CONFERENCE**

On July 26, 2012, I set this matter for a Local Rule 56 conference on August 16, 2012, in Portland, Maine, the location of the lawyers for both parties. Procedural Order re Local Rule 56(h) (ECF No. 25). Thereafter, the Magistrate Judge permitted the plaintiff’s lawyer to withdraw, and gave the plaintiff until September 14, 2012, to engage another lawyer, “failing which she shall be deemed to be proceeding pro se.” Order Granting Ex Parte Mot. for Leave to Withdraw as Att’y, Aug. 15, 2012 (ECF No. 31). The August 16 conference was continued and reset for October 12, 2012, still in Portland. Id.; Notice of Rescheduled Hr’g, Aug. 16, 2012 (ECF No. 32). By a filing on September 24, 2012, the plaintiff notified the court: “I will represent myself Oct 12, 2012 at 2:30 in Portland.” Pl.’s Ltr. to Ct. (ECF No. 33). Now, by a filing on October 3, 2012, shortly before the October 12 conference, the plaintiff has requested an extension of the date of the conference and a change in location to Bangor, Maine; states that she is pursuing legal representation; and

attaches a letter concerning medical conditions, although they do not appear to be new conditions. Pl.'s Mot. to Continue Rule 56 Hr'g (ECF No. 35); Ltr. from Cynthia Milles, Ph.D. (ECF No. 35-1). The defendant opposes the request for further delay. Def.'s Resp. in Opp'n re Pl.'s Mot. to Continue Rule 56 Hr'g 2-3, Oct. 4, 2012 (ECF No. 36). The defendant also opposes the change in location of the October 12 conference in light of other matters scheduled in Portland for the defendant's lawyer that day. Id. at 2-3 & n.1.

During all this time the defendant has been prevented from filing its motion for summary judgment. It is apparent that the plaintiff is continuing to delay the proceedings, despite the deadlines set by the Magistrate Judge, and still has not come to grips with whether she has a lawyer who will take her case. I conclude that the time for delay has ended, and that under the circumstances no purpose will be served by holding a Local Rule 56 conference in this case. Accordingly, the October 12, 2012, conference is canceled. The defendant is permitted to file its summary judgment motion, and shall do so by October 31, 2012, failing which the case shall be scheduled for trial. If the summary judgment motion is filed, the plaintiff must respond within the confines of the pertinent Federal and Local Rules.

SO ORDERED.

DATED THIS 9TH DAY OF OCTOBER, 2012

/s/D. Brock Hornby
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (BANGOR)
CIVIL DOCKET NO. 1:11-CV-446-DBH**

Adeline E. Richards,

Plaintiff

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v.

City of Bangor, Maine,

Defendant

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