

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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FREEDOM FROM RELIGION FOUNDATION, INC.,  
GAIL VANN,  
WAYNE VANN,  
TAKU RONSMAN,  
WENDY CORIELL,  
MICHAEL BERGMAN,  
JAMES WHITE,  
JILL WHITE,  
JEFFREY FONDRLIAK,  
ROBERT HOWE,  
AMY WOLF,  
MICHAEL MATERNOWSKI,  
ANGIE MOON,  
ERIK EISENHEIM, and  
MORGAN MICHAELA THOMPSON,

Case No. 07-C-1151

Plaintiffs,

v.

CITY OF GREEN BAY, WISCONSIN,  
CHAD FRADETTE, GREEN BAY CITY COUNCIL PRESIDENT, and  
JIM SCHMITT, MAYOR OF GREEN BAY,

Defendants.

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**MOTION FOR CONTINUANCE**

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The Plaintiffs respectfully move the Court for a continuance of the motion hearing presently scheduled for September 15, 2008, at 1:30 p.m. The Defendants have moved to dismiss on grounds of mootness, although no formal action has been taken by the City of Green Bay since adopting a moratorium on religious displays on city property.

A recent report by the Associated Press dated September 6, 2008, however, reports that the City of Green Bay could have a formal policy in place for Christmas displays in the near future. The news report indicates that Mayor Jim Schmitt "recently met with clergy members to get their ideas on a city policy. They agreed that the City should stick with secular decorations and leave the religious displays to area churches and synagogues."(See Exhibit A attached to this motion.) The news report further states that Mayor Schmitt "said he hopes to present a policy to the city council in October."

The Plaintiffs request a continuance of the presently scheduled argument, which may be affected by what, if any, policy the City Council adopts in October. This development presumably will bear upon the arguments of the parties and the decision of the court, but in a way that can not be predicted at this time.

In the interest of judicial efficiency and economy, therefore, the Plaintiffs make this Motion for Continuance of the scheduled motion hearing.

Dated this 11th day of September, 2008.

**BOARDMAN, SUHR, CURRY & FIELD, LLP**  
By:

/s/ Richard L. Bolton  
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