

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

AL MADANY ISLAMIC CENTER OF	)	
NORWALK, INC., a Connecticut non-stock	)	
Corporation,	)	CIVIL ACTION NO:
	)	
Plaintiff,	)	3:12-cv-00949 (MPS)
	)	
v.	)	
	)	
CITY OF NORWALK, CONNECTICUT,	)	
and CITY OF NORWALK ZONING	)	
COMMISSION,	)	
	)	
Defendants.	)	FEBRUARY 19, 2014

**JOINT MOTION FOR EXTENSION OF DISCOVERY DEADLINES  
AND FOR REFERRAL TO MAGISTRATE JUDGE FOR MEDIATION**

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, the plaintiff, Al Madany Islamic Center of Norwalk, Inc. (“Al Madany”) and the defendants, City of Norwalk, Connecticut and City of Norwalk Zoning Commission (collectively, “Norwalk”; jointly with Al Madany, the “Parties”) hereby respectfully request a three-week extension of the current deadlines to complete discovery to accommodate the Parties’ continued efforts to settle this case by mediation. In support of this motion, the Parties jointly represent as follows:

1. On January 8, 2014, the Court granted the Parties’ joint motion seeking a six-week extension of time for all discovery deadlines [Dkt. No. 204]. On January 9, 2014, the Court referred the case to Magistrate Judge Donna F. Martinez for a Settlement Conference [Dkt. No. 205]. Absent an additional extension, the Court’s extension would end today.
2. Following the Court’s referral, Magistrate Judge Martinez ordered the Parties to appear before her for a settlement conference on February 10, 2014 (the “Settlement Conference”) [Dkt. No. 206].

3. As required by Magistrate Judge Martinez, Al Madany submitted a settlement demand to Norwalk on January 27, 2014, and Norwalk responded to the settlement demand by letter on January 30, 2014.

4. In addition to the above exchange of correspondence, in advance of the Settlement Conference, the Parties met by teleconference on three occasions to explore settlement.

5. At the Settlement Conference on February 10, 2014, the Parties met before Magistrate Judge Martinez, which lasted approximately four-and-one-half hours [Dkt. No. 207]. Although the Parties did not come to terms during the Settlement Conference, they agreed to continue to negotiate.

6. At the Settlement Conference, Norwalk agreed that it would submit a revised offer to Al Madany by February 18, 2014. Al Madany agreed that it would respond to Norwalk's offer by no later February 27, 2014.

7. Pursuant to an Order dated February 11, 2014 [Dkt. No. 208], the Parties will participate in an additional mediation session by teleconference with Magistrate Judge Martinez on February 28, 2014.

8. The Parties believe that an additional three-week extension of all current deadlines for the completion of discovery would enable them to focus on settlement and determine whether a settlement can be achieved in this case. Thus, the Parties seek an extension of all current deadlines, including remaining expert disclosures and depositions, along with the deadlines for dispositive motions and the Joint Trial Memorandum. This requested extension should provide sufficient time for the Parties to focus on revised settlement proposals and prepare for the February 28, 2014 teleconference with Magistrate Judge Martinez.

9. Under the schedule proposed by this Joint Motion, the relevant deadlines for this matter would be revised as follows:

- a. All fact discovery shall be completed by **April 11, 2014**.

- b. With respect to Plaintiff's religious expert:
  - i. Defendants shall disclose their rebuttal expert report, if any, by **April 14, 2014**.
  - ii. Plaintiffs shall depose Defendants' rebuttal expert, if any, by **May 14, 2014**.
- c. With respect to Plaintiff's planning and zoning expert:
  - i. Plaintiff shall disclose the initial report by **March 19, 2014**.
  - ii. Defendants shall depose Plaintiff's planning and zoning expert by **April 21, 2014**.
  - iii. Defendants shall disclose their rebuttal expert report, if any, by **June 2, 2014**.
  - iv. Plaintiff shall depose Defendants' rebuttal expert, if any, by **July 2, 2014**.
- d. Dispositive motions shall be filed by **July 23, 2014**.
- e. The Joint Trial Memorandum shall be due within **45 days** of the Court's ruling on any dispositive motions.

10. As was the case with the Parties' previous motion for an extension of time, the Parties are not seeking to stay their obligations to complete document discovery. Since the Court's January 8, 2014 Order granting the extension of time [Dkt. No. 204], the Parties have continued to produce responsive documents.

11. For the foregoing reasons, Al Madany and Norwalk respectfully request a three-week extension of the current deadlines concerning completion of discovery and subsequent filings (with the exception of document discovery, which is ongoing).

PLAINTIFF,  
AL MADANY ISLAMIC CENTER OF  
NORWALK, INC.

/s/ Peter Vigeland  
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DEFENDANTS,  
CITY OF NORWALK AND CITY OF  
NORWALK ZONING COMMISSION

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CERTIFICATION OF SERVICE

I hereby certify that on February 19, 2014, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's system.

/s/ Peter K. Vigeland \_\_\_\_\_  
Peter K. Vigeland