

7/24/08  
7/21 letter

IN THE CIRCUIT COURT OF THE 23<sup>rd</sup> JUDICIAL CIRCUIT  
OF MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI

CONCERNED CITIZENS FOR CRYSTAL	)	
CITY, et al.;	)	
Plaintiffs,	)	
v.	)	Case No. 07JE-CC01264
	)	On Special Assignment
CITY OF CRYSTAL CITY, MISSOURI,	)	Honorable Benjamin
et al.;	)	Frederick Lewis
Defendants,	)	
and	)	
WINGS ENTERPRISES, INC.;	)	
Intervenor-Defendant.	)	

**PLAINTIFFS' MOTION REQUESTING THE COURT TO DELAY  
RULING ON THE MOTION FOR SANCTION AGAINST DEFENDANTS  
UNTIL THE SEPTEMBER 25 HEARING DATE**

Come now plaintiffs and move this court to delay ruling on plaintiffs' motion for sanctions against defendants until the parties address the issue during the already scheduled hearing on September 25, 2008. In support of this motion, plaintiffs state as follows:

1. Plaintiffs filed a motion for sanctions against defendants concerning defendants' failure to produce documents.
2. On June 25, 2008, the court held a hearing and plaintiffs believe the court stated it would withhold ruling on plaintiffs' motion until the court heard from plaintiffs.
3. The court also gave defendants thirty days to produce certain documents.
4. The thirty day period has expired.

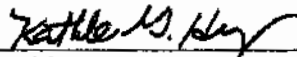
5. Plaintiffs are uncertain whether the court will rule on the motion after the expiration of that time period, or whether the court will wait until the date of the hearing, or whether the court wished to be apprised of the situation in the interim period.

6. On June 21, 2008, plaintiffs sent a letter to defendants detailing further disputes and sent copies to attorneys for intervenor-defendant in an attempt to resolve the dispute. A copy is attached.

7. Plaintiffs would like to inform the court of the ongoing discovery dispute in relation to the motion for sanctions at the September 25 hearing.

#### CONCLUSION

WHEREFORE, plaintiffs respectfully request this Court to delay ruling on the motion for sanction against defendants until the September 25 hearing date.

  
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### CERTIFICATE OF SERVICE

The undersigned certifies that on the 24<sup>th</sup> day of July, 2008, a complete copy of the foregoing document was served upon counsel for defendants and defendant-intervenor by enclosing the same in an envelope and depositing said envelope, with first class postage fully prepaid, in a United States post office box, addressed to:

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