

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|-----------------------------|---|-------------------|
| TAMMY KITZMILLER, et al. | : | Case No. 04cv2688 |
| Plaintiffs | : | |
| | : | |
| v. | : | Judge Jones |
| | : | |
| DOVER AREA SCHOOL DISTRICT, | : | |
| et al. | : | |
| Defendants. | : | |

ORDER

August 17, 2005

THE BACKGROUND OF THIS ORDER IS AS FOLLOW:

Pending before the Court is a Motion to Reconsider the Court's August 2, 2005 Order (doc. 125) filed by non-party subpoenaed witnesses, Joseph Maldonado and Heidi Bernhard-Bubb, on August 11, 2005. On August 17, 2005 the Court held a telephonic conference with the parties in which the Court ordered an expedited briefing schedule on the above-referenced Motion. The purpose of this Order is to reduce said expedited briefing schedule to writing. It was evident to the Court during the telephonic conference that Defendants desire to respond to the Motion to Reconsider and while it appears unlikely to the Court that Plaintiffs will respond, they will be provided with the same right to respond as Defendants possess.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Defendants shall respond to the Motion to Reconsider the Court's August 2, 2005 Order within five (5) days from the date of this Order.
2. The non-party subpoenaed witnesses, Joseph Maldonado and Heidi Bernhard-Bubb, may file a reply brief within five (5) days from the date of Defendants' submission.
3. Plaintiffs, should they desire to respond to the Motion to Reconsider, shall be governed by the same briefing schedule as set forth herein.

s/ John E. Jones III
John E. Jones III
United States District Judge