

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

(1) KENNETH BUCKLEY, on behalf of D.D.B.,)
a minor child, (2) PHILLIP and ANDREA)
CONNELLY, on behalf of E.J.D.C., a minor child,)
(3) CLINT and CATHY STAPLETON, on behalf of)
K.N.S., a minor child, (4) BOBBY and RUTH)
SWEET, on behalf of M.N.S., a minor child,)
(5) MICHELLE SUMTER, on behalf of M.N.S.,)
a minor child, (6) FRANCIS SHOEMAKER,)
on behalf of D.W.S.)
Plaintiffs.)

Case No. 10-CV-240 GKF PJC

v.)

(1) INDEPENDENT SCHOOL DISTRICT NO. 4)
of ROGERS COUNTY, OKLAHOMA a/k/a)
OOLOGAH TALALA PUBLIC SCHOOLS,)
(2) CARA JONES, individually, (3) MELISSA)
GIBSON, individually, (4) KENNETH KINZER,)
Individually, (5) RICK THOMAS, individually,)
(6) BOBBY SORDO, individually, (7) CITY OF)
OWASSO , a political subdivision,)
jointly and severally,)
Defendants.)

PLAINTIFFS' MOTION TO STAY DISCOVERY

COME NOW the Plaintiffs Kenneth Buckley, on behalf of D.D.B., a minor child,
Phillip and Andrea Connelly on behalf of E.J.D.C., a minor child, Clint and Cathy
Stapleton, on behalf of K.N.S., a minor child, Bobby and Ruth Sweet, on behalf of
M.N.S., a minor child, and Michelle Sumter, on behalf of M.N.S., a minor child, and
Frances Shoemaker, on behalf of D.W.S. and hereby submit their Motion to Stay
Discovery. In support thereof, Plaintiffs allege and state as follows:

1. In support thereof, Plaintiffs incorporate by reference herein their Motion
for Expedited Settlement Conference [Doc. No. 68]. For all of the reasons set forth in

their motion for expedited settlement conference, Plaintiffs respectfully request that discovery be stayed until after the settlement conference.

2. That the parties have engaged in enough discovery, more than is necessary, to engage in a meaningful settlement conference. Under Fed. R. Civ. P. 26 and Fed. R. Civ. P. 26(b)(2) and (c) provide the court with broad discretion in entering discovery orders and in this case the individual students have been deposed as well as most of the parents and that discovery should be stayed until after the settlement conference.

3. That counsel for Plaintiffs has other cases besides this one and has spent just about every day for the last three weeks in Tulsa related to this matter and it would be difficult to complete the remaining depositions and discovery because counsel for Plaintiff needs to tend to his other matters. Defendants have a significant advantage because they are represented by large firms who are paid hourly and school defendants are being funded by a large insurance company. They have used this advantage to their benefit by scheduling depositions virtually everyday for the last two weeks and more are planned for next week of other students who are not even Plaintiffs.

4. Plaintiffs have conferred with counsel for Defendants and all Defendants object.

WHEREFORE, for all of the foregoing reasons, Plaintiffs respectfully request for an order staying discovery and any other and further relief this Court deems proper.

s/ Brendan M. McHugh
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CERTIFICATE OF ELECTRONIC FILING

This is to certify that a correct copy of the above document has been sent via the Court's ECF notification system this 17th day of June 2010 to:

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s/ Brendan M. McHugh
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