

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



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ORDER

August 26, 2009

BEFORE

FRANK H. EASTERBROOK, Chief Judge
ANN CLAIRE WILLIAMS, Circuit Judge
DIANE S. SYKES, Circuit Judge

No.: 09-2741	JAMIE S., on her own behalf and on behalf of a class of similarly situated persons, et al., Plaintiffs - Appellees v. MILWAUKEE PUBLIC SCHOOLS, et al., Defendants - Appellants
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Originating Case Information:

District Court No: 2:01-cv-00928-AEG
Eastern District of Wisconsin
Magistrate Judge Aaron E. Goodstein

The following are before the court:

1. **MOTION FOR DISMISSAL OF DEFENDANTS' APPEAL**, filed on July 30, 2009, by counsel for the appellees.
2. **OPPOSITION TO MOTION TO DISMISS APPEAL**, filed on August 14, 2009, by counsel for the appellants.
3. **MOTION FOR A STAY OF THE DISTRICT COURT'S JUNE 9, 2009 ORDER**, filed on August 20, 2009, by counsel for the appellants.

4. **PLAINTIFFS' REPLY BRIEF IN SUPPORT OF THEIR MOTION FOR DISMISSAL OF DEFENDANTS' APPEAL**, filed on August 24, 2009, by counsel for the appellees.

IT IS ORDERED that #1, #2, and #4 are taken with the case to be determined by the assigned merits panel. The parties shall thoroughly address this court's jurisdiction in their briefs.

IT IS FURTHER ORDERED that #3 is **GRANTED**. The district court's order dated June 9, 2009, is **STAYED** pending resolution of this appeal.

IT IS FINALLY ORDERED that briefing will proceed as follows:

1. The brief and required short appendix of the appellants are due by September 25, 2009.
2. The brief of the appellees is due by October 26, 2009.
3. The reply brief of the appellants, if any, is due by November 9, 2009.

Note: Circuit Rule 31(e) (amended Dec. 1, 2001) requires that counsel tender a digital copy of a brief, from cover to conclusion, at the time the paper copies are tendered for filing. The file must be a text based PDF (portable document format), which contains the entire brief from cover to conclusion. Graphic based scanned PDF images do not comply with this rule and will not be accepted by the clerk.

Rule 26(c), Fed. R. App. P., which allows three additional days after service by mail, does not apply when the due dates for briefs are specifically set by order of this court. All briefs are due by the dates ordered.

Important Scheduling Notice !

Notices of hearing for particular appeals are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your particular appeal might be scheduled, please write the clerk advising him of the time period and the reason for such unavailability. Session data is located at <http://www.ca7.uscourts.gov/cal/calendar.pdf>. Once an appeal is formally scheduled for a certain date, it is very difficult to have the setting changed. See Circuit Rule 34(e).

form name: **c7_Order_3J** (form ID: 177)