

IN THE COURT OF APPEALS OF THE STATE OF OREGON

JOSEPH BOVA,
Plaintiff-Respondent,

v.

CITY OF MEDFORD, an incorporated Subdivision of the State of Oregon, and
MICHAEL DYAL, City Manager of the City of Medford, as an individual, and in his
official capacity,
Defendants-Appellants.

Jackson County Circuit Court No. 081663E7

Court of Appeals No. A144254

**ORDER DENYING MOTION FOR LEAVE TO FILE MEMORANDUM OF ADDITIONAL
AUTHORITIES OR APPLICATION TO APPEAR AS *AMICUS CURIAE***

A group of members of the plaintiff class have moved for leave to file a memorandum of additional authorities in support of appellants' motion to stay enforcement of the judgment pending appeal; in the alternative, they have applied for leave to appear as *amicus curiae* with respect to the motion to stay. A group of City of Medford employees who are not members of the class, but are interested persons, also have moved for leave to appear as *amicus curiae* with respect to the motion to stay.

The motions are denied on the ground that today the court has issued its order disposing of the motion to stay. However, the denial of the motion is without prejudice to the movants seeking leave to have their positions heard in the event that any party moves for reconsideration of the court's disposition of appellants' motion to stay. In the event that movants elect to renew their motions, movants should explain why they have not first sought relief in the trial court.

JUL 21 2010

DATE


James W. Nass, Appellate Commissioner.

c: Robert E Franz, Jr
Stephen L Brischetto
George P Fisher
Lisa M Umscheid

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REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563