

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

FILED
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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV. DAYTON

MICHAEL A. GALLUZZO,

Plaintiff,

-vs-

CHAMPAIGN COUNTY COURT
OF COMMON PLEAS, et al.,

Defendant.

Case No. C-3-01-174

Chief Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

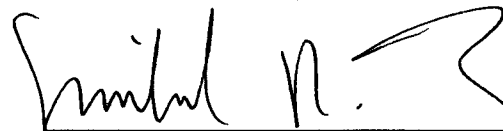
SCHEDULING ORDER

This case came on for preliminary pretrial conference at 8:45 a.m. on Thursday, July 19, 2001. Plaintiff participated personally and trial attorney Jack Whitesell represented the remaining Defendant, the Champaign County Common Pleas Court.

The parties have not unanimously consented to plenary magistrate judge jurisdiction under 28 U.S.C. §636(c). The case will accordingly remain on Magistrate Judge Merz's docket for pretrial purpose only and be returned to Chief Judge Rice's docket for trial. The parties remain free to consent to magistrate judge jurisdiction, but failure to do so will have no adverse substantive consequences.

Defendant will file its motion to dismiss not later than August 15, 2001. Further briefing will be in accordance with S. D. Ohio Civ. R. 7.3. Once the motion to dismiss is resolved, the Court will reconvene a scheduling conference for any needed further proceedings.

July 19, 2001.



Michael R. Merz
United States Magistrate Judge