

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CAROL PETHTEL, individually
and in her capacity as
Administratrix of the
ESTATE OF THOMAS SAMUEL PETHTEL, JR.,
deceased, and as guardian ad litem
for TARA BROTHERS, TABITHA PETHTEL,
and THOMAS S. PETHTEL, III,

Plaintiffs,

v.

Civil Action No. 5:06CV87
(STAMP)

WEST VIRGINIA STATE POLICE,
COLONEL DAVID L. LEMMON, Superintendent
of the West Virginia State Police,
SERGEANT GERALD L. MENENDEZ,
SERGEANT CHARLES F. TRADER,
FIRST SERGEANT DAVID B. MALCOMB,
FIRST SERGEANT L. SCOTT GOODNIGHT,
CORPORAL R. L. MEFFORD and
TROOPER J. A. SIMMONS, individually
and in their capacity as members of
the Special Response Team-Alpha Team
of the West Virginia State Police and
CAPTAIN T.L. PHILLIPS, State Police
Commanding Officer in Ohio County,

Defendants.

**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO EXTEND TIME
TO FILE RESPONSES TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
AND MOTION TO STRIKE EXPERT'S ANTICIPATED TESTIMONY**

On January 22, 2008, the plaintiffs in the above-styled civil action filed a motion for an extension of time to file responses in opposition to the defendants' motion for summary judgment and to the defendants' motion to strike expert testimony. The plaintiffs' motion requests a due date of January 28, 2008 for their response, with a concomitant extension to February 4, 2008 for the defendants' reply. In their motion, the plaintiffs also inform

this Court that the defendants do not object to the proposed extension.

This Court finds that the plaintiffs have shown good cause, and, accordingly, the plaintiffs' motion for an extension of time to file responses to the defendants' motion for summary judgment and to the defendants' motion to strike expert testimony is hereby GRANTED. The plaintiffs shall file their response on or before **January 28, 2008**. The defendants' reply brief shall be filed on or before **February 4, 2008**.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: January 23, 2008

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE