

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

JOSE DE LA CRUZ,

Plaintiff,

v.

**VIRGIN ISLANDS WATER AND POWER
AUTHORITY,**

Defendant/Third-Party Plaintiff,

v.

MARCO A. BLACKMAN,

Third-Party Defendant,

1:07-cv-9

**TO: Lee J. Rohn, Esq.
Robert L. King, Esq.
H.A. Curt Otto, Esq.**

ORDER

THIS MATTER came before the Court upon Plaintiff's Motion to Reschedule (Docket No. 166). Defendant filed an opposition to said motion, and Plaintiff filed a reply thereto.

Plaintiff seeks a continuance of the status conference in this matter currently scheduled for Monday, May 10, 2010, at 11:00 a.m. Counsel for Plaintiff claims that she has

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other matters scheduled in Superior Court for the same date and time and, thus, that she is unable to attend the status conference in this matter as scheduled. Counsel for Defendant opposes based upon the fact that counsel had at least a month's notice of the apparent conflict, yet waited until the eleventh hour to file her motion. In addition, counsel already has made travel arrangements to St. Croix from St. Thomas and would be prejudiced by having to change them at this late date.

Having reviewed the written submissions and upon due consideration thereof, the Court finds that counsel for Plaintiff could have filed her motion earlier, thereby imposing less of a burden upon counsel for Defendant or, in the alternative, could have another attorney from her office attend either the matters scheduled in Superior Court or the conference scheduled in this matter. Consequently, the Court is disinclined to continue the conference to another date. However, since counsel for Defendant has informed the Court that he would be willing to attend at a later time, as long as his return flight to St. Thomas can be accommodated, the Court will continue the matter for a later time on the same date.

Accordingly, it is hereby **ORDERED** that

1. Plaintiff's Motion to Reschedule (Docket No. 166) is **GRANTED**.
2. The status conference in the above-captioned matter set for Monday, May 10, 2010, at 11:00 a.m., is **CONTINUED** to **Monday, May 10, 2010, at 12:15 p.m.**

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ENTER:

Dated: May 7, 2010

/s/ George W. Cannon, Jr.

GEORGE W. CANNON, JR.

U.S. MAGISTRATE JUDGE