

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

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**OMAR MORRISON, individually and on behalf of
other similarly situated Assistant Store Managers,**

Plaintiffs,

-against-

**OCEAN STATE JOB LOT, INC., and
OCEAN STATE JOBBERS, INC.,**

Defendants.
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**DEFENDANTS'
EMERGENCY
MOTION
TO STAY BRIEFING
SCHEDULE**

3:09-CV-1285 (AWT)

Defendants Ocean State Job Lot, Inc. and Ocean State Jobbers, Inc. (collectively, “**Defendants**”) move pursuant to Local Rule 7(a)(3) for an emergency adjudication of Defendants’ motion to stay the briefing schedule of Plaintiff’s motion for conditional certification pending a determination of Defendants’ previously-filed motion to dismiss the Complaint in its entirety, or, alternatively, to obtain an extension of time to oppose Plaintiff’s motion to January 11, 2010. As set forth in the accompanying Memorandum in Support of Motion, Defendants have not yet answered the Complaint, but have filed and served a motion to dismiss the Complaint, which, if granted, would render Plaintiff’s motion for conditional certification moot.

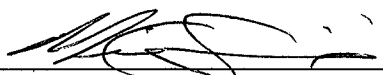
ORAL ARGUMENT NOT REQUESTED

WHEREFORE, Defendants respectfully submit that there is good cause for granting this motion and adjudicating, on an emergency basis, Defendants' instant motion.

Dated: New York, New York
November 30, 2009

COZEN O'CONNOR
Counsel for Defendants

By:


Michael C. Schmidt (MS7841)
45 Broadway, 16th Floor
New York, New York 10006
(212) 453-3937

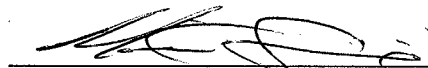
CARMODY & TORRANCE LLP
Local Counsel for Defendants
195 Church Street
Post Office Box 1950
New Haven, Connecticut 06509-1950

Certificate of Service

I hereby certify that on November 30, 2009, a copy of the foregoing notice of motion, together with the papers filed in support of the foregoing notice of motion, was filed electronically and served by mail on all counsel and pro se parties, including anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system and by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

COZEN O'CONNOR
Counsel for Defendants

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