

STATE OF INDIANA ) IN THE MONROE CIRCUIT COURT  
 ) SS:  
COUNTY OF MONROE ) CAUSE NO. 53C06-2203-PL-000509

COUNTY RESIDENTS AGAINST ANNEXATION, )  
INC., et al., )  
 )  
 *Remonstrators/Petitioners,* )  
 )  
 v. )  
 )  
CITY OF BLOOMINGTON, INDIANA, et al., )  
 )  
 *Respondents.* )

**MOTION TO LIFT STAY AND RESET TRIAL DATE**

Respondents, the City of Bloomington, Indiana, *et al.* (collectively, “Bloomington” or “City”), by counsel, respectfully requests that the Court lift the stay entered on September 5, 2023 and reset the trial date in this matter. In support of motion, Bloomington states as follows:

1. On September 5, 2023, the Court entered an order stating that "the current proceedings are hereby stayed until the lawsuits involving the same parties in this matter filed by the City of Bloomington against the Monroe County Auditor have been fully and finally decided." Following a status conference with counsel, the Court clarified through a September 11, 2023, docket entry that the reference to "the current proceedings are hereby stayed until the lawsuits involving the same parties in this matter filed by the City of Bloomington against the Monroe County Auditor have been fully and finally decided" was a reference to "the lawsuits pending under cause numbers: 53C06-2203-PL-000608 and 5306-2203-PL-000609." The "608 lawsuit" is specific to Annexation Area 1A; the "609 lawsuit" is specific to Annexation Area 1B.

2. On September 19, 2023, the court in the 608 and 609 lawsuits signed an order dismissing those causes with prejudice. That order was entered on the docket on September 21,

2023, and a copy of it is attached as Exhibit A. As such, the condition set forth in the September 5 stay order has been satisfied.

3. Bloomington requests that the Court, the parties, and a representative of the Monroe County court administration office convene a telephonic scheduling conference as soon as practicable to reset the trial date in this matter.

4. Should the Court grant this motion *and* reset the trial date, Bloomington's motion to certify the September 5 stay order can be denied as moot.

WHEREFORE Respondents, the City of Bloomington, Indiana, *et al.*, by counsel, respectfully request that the Court issue an order acknowledging the satisfaction of the requirements for lifting the stay and setting a telephonic scheduling conference for the purpose of resetting the trial date.

Respectfully submitted,

/s/ Stephen C. Unger

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing “Motion to Lift Stay and Reset Trial Date” has been served upon the following counsel of record by electronic service through the Court’s system, this 21<sup>st</sup> day of September, 2023:

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*/s/ Stephen C. Unger* \_\_\_\_\_

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