

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SIMBI WATERS, et al.,
Plaintiffs,

v.

MARION BARRY, JR., et al.,
Defendant

Civil No. 89-0707 (CRR)

FILED ✓

APR 20 1989

ORDER

Clerk, U.S. District Court
District of Columbia

The "Short Term Curfew Emergency Act of 1989," the subject of this litigation to date, has been repealed. It has been replaced by the "Temporary Curfew Emergency Act of 1989," which Mayor Barry signed on April 17, 1989. In light of these events, the plaintiffs now seek leave to amend their complaint under Fed. R. Civ. P. 15(a) so as to challenge the latter statute, which is scheduled to take effect at 12:01 a.m., April 25, 1989. Rule 15(a), of course, provides that leave to amend shall be "freely given when justice so requires." In view of this standard, and upon consideration of the parties' submissions, it is, by the Court, this 20th day of April, 1989,

ORDERED, that the plaintiffs' motion to amend their complaint shall be, and hereby is, GRANTED; and it is further

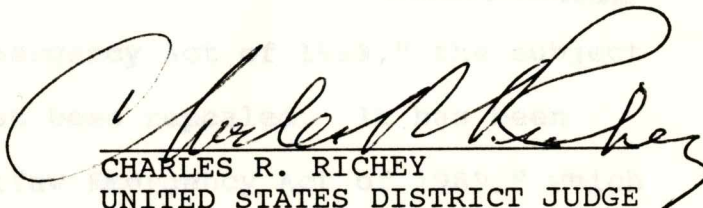
ORDERED, that defendants' motion to dismiss this action as moot pursuant to Fed. R. Civ. P. 12(b)(1) shall be, and hereby is, DENIED; and it is further

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ORDERED, that defendants' motion to vacate the schedule established in this Court's Order of April 12, 1989, shall be, and hereby is, GRANTED, and the schedule shall be, and hereby is, VACATED; and it is further

ORDERED, that the parties shall appear for a hearing at 11:00 a.m., April 24, 1989, on the plaintiffs' motions for interim injunctive relief pursuant to Fed. R. Civ. P. 65.


CHARLES R. RICHEY
UNITED STATES DISTRICT JUDGE