

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

DAN EOFF

PLAINTIFF

v.

No. 4:13-cv-368-DPM

**ENVIRONMENTAL PROTECTION AGENCY
and GINA MCCARTHY, in her official capacity as
Administrator of the EPA**

DEFENDANTS

ORDER

For the reasons stated on the record at today's telephone conference, parties' joint motion to stay defendants' counterclaim, *No 38*, is granted; and defendants' motion to stay Eoff's Administrative Procedure Act claim, *No 41*, is denied. The Final Scheduling Order, *No 32*, is suspended. But the parties should follow the dispositive motion guidelines in that Order. Eoff's motion for judgment due 11 July 2014. Defendants' response due 15 August 2014. Eoff's reply due 29 August 2014. The parties should promptly notify the Court by joint report about any material development in the criminal investigation.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

12 June 2014
