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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNCIL, *et al.*,

Plaintiffs,

v.

SALLY JEWELL, in her official capacity
as Secretary of the Interior, *et al.*,

Defendants.

Case No. 1:05-cv-01207 LJO-EPG
FURTHER SCHEDULING ORDER

SAN LUIS & DELTA MENDOTA
WATER AUTHORITY, *et al.*,

Defendants-Intervenors.

ANDERSON-COTTONWOOD
IRRIGATION DISTRICT, *et al.*,

Joined Parties.

Having read and considered the Parties' Joint Scheduling Proposal, Doc. 1026, the Court establishes the following schedule for further proceedings in this case:

Responsive Pleadings:

- **June 20, 2016:** Motion(s) to dismiss and other responsive pleadings shall be filed.
- **July 12, 2016:** Opposition briefs to motion(s) to dismiss shall be filed.
- **July 22:** Reply briefs for motion(s) to dismiss shall be filed.

1 **Administrative Record:**

2 • **August 5, 2016:** Federal Defendants shall distribute to all parties a draft AR index
3 summarizing the proposed contents of the AR for purposes of informing a meet and confer
4 process regarding any potential disputes.

5 • **20 days after Court's ruling on motions to dismiss:** The Federal Defendants shall lodge
6 the AR.

7 • **14 days after AR is lodged:** All motions regarding completeness of the AR shall be filed.
8 Briefing shall take place according to the local rules.

9 • **7 days after Court's ruling on any disputes regarding completeness of the AR:**
10 Federal Defendants shall complete any changes to the AR to conform with the Court's rulings.

11 **Cross-Motions for Summary Judgment:**

12 • **30 days after AR deemed complete:** Plaintiffs' motion for summary judgment shall be
13 filed.

14 • **30 days after Plaintiffs' motion for summary judgment:** Defendants' opposition briefs
15 and, if any, Defendants' motion(s) for summary judgment shall be filed.

16 • **21 days after Defendants' opposition and any motion(s) for summary judgment:**
17 Plaintiffs' reply brief and opposition briefs to Defendants' motion(s) for summary judgment shall
18 be filed.

19 • **14 days after Plaintiffs' opposition:** Defendants' reply brief(s) for motion(s) for
20 summary judgment shall be filed.

21 **Discovery for Sixth Claim:**

22 • **21 days after AR is lodged:** Notice must be provided to the Court and all parties
23 regarding any intent to seek discovery on the Sixth Claim. The parties are directed to meet and
24 confer in advance of this notice deadline in an attempt to reach agreement on the scope of and
25 schedule for any such discovery. If agreement cannot be reached, the party requesting discovery
26 shall submit a proposal regarding the scope of and schedule for discovery. In addition, the
27 requesting party shall specifically address how its proposed discovery schedule will impact the
28 summary judgment process as to the other claims in this case. As noted in its May 24, 2016 Order

1 Re Further Scheduling, the Court is not inclined toward two separate rounds of summary
2 judgment motions. Doc. 1205 at 2. Any proposal that recommends such a process must
3 specifically address why bifurcating summary judgment serves the interests of judicial or party
4 efficiency and/or the public interest. Any opposing party may have three additional days to
5 submit a response.

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7 IT IS SO ORDERED.

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Dated: June 3, 2016

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE

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