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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CITY OF LINCOLN,)	Case No.: 2:16-cv-01164-KJM-AC
)	
Plaintiff,)	
vs.)	THIRD AMENDMENT TO THE PRETRIAL
)	SCHEDULING ORDER
UNITED STATES OF AMERICA, UNITED)	
STATES DEPARTMENT OF THE AIR)	
FORCE; UNITED STATES GENERAL)	
SERVICES ADMINISTRATION; and DOES 1)	
through 100, inclusive,)	
)	
Defendants.)	
)	
)	
)	

The parties jointly requested (ECF No. 39) to amend dates in the pretrial scheduling order (ECF No. 18). The City also agreed not to oppose any motion by the United States to file an Amended Answer to include a counterclaim under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. § 9613(f), and based upon this agreement, the parties filed a stipulation to allow for the United States to file an Amended Answer to include such a counterclaim under CERCLA. (ECF No. 39).

The parties have now filed a stipulation requesting clarification of the Second Amendment to the Scheduling Order (ECF No. 42), to determine whether defendants are authorized to file an Amended Answer to include a counterclaim under CERCLA, 42 U.S.C. § 9613(f). The parties also

1 filed the stipulation to alert the court to two apparent typos in the Second Amendment to the
2 Scheduling Order, and to request clarification from the court as to these two typos.

3 Good cause appearing, the court GRANTS the United States' request to file an Amended
4 Answer to include a counterclaim under CERCLA, 42 U.S.C. § 9613(f). Section II of the scheduling
5 order is hereby amended as follows:

6 Section II. ADDITIONAL PARTIES/AMENDMENTS/PLEADINGS

7 The United States may file an Amended Answer to include a counterclaim under CERCLA
8 Section 113, 42 U.S.C. § 9613.

9 Further, good cause appearing, the court GRANTS the parties' request to amend dates in the
10 pretrial scheduling order, as follows, but vacates the final three dates to be reset as needed after ruling
11 on any dispositive motions or passage of the dispositive motion cutoff without the filing of such
12 motions:

Description	Existing Date	New Date
Discovery Cutoff	October 6, 2017	February 9, 2018
Plaintiff's Expert Disclosures	November 14, 2017	March 14, 2018
Defendants' Expert Disclosures	January 12, 2018	May 14, 2018
Supplemental Expert Disclosures	February 9, 2018	June 11, 2018
Completion of Expert Discovery	March 14, 2018	July 13, 2018
Hearing on Dispositive Motions	April 30, 2018	August 24, 2018
Final Pretrial Conference	August 24, 2018	Vacated to be reset as necessary
Trial Briefs Due	October 8, 2018	Vacated to be reset as necessary
Trial	October 22, 2018	Vacated to be reset as necessary

1 This amendment does not alter any other portions of the initial scheduling order (ECF No. 18).

2 IT IS SO ORDERED.

3 DATED: October 20, 2017.

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6 UNITED STATES DISTRICT JUDGE
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