

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

**STATE OF FLORIDA DEPARTMENT
OF AGRICULTURE AND CONSUMER
SERVICES,**

Plaintiff,

vs.

CASE NO. 4:09cv386/RS-WCS

UNITED STATES OF AMERICA

Defendant.

ORDER

Before me is Plaintiff's Emergency Motion to Continue (Doc. 42). A hearing was held on this matter on July 22, 2010, in Panama City, Florida.

IT IS ORDERED:

- (1) Defendant shall provide a complete copy of the version of the Forest Service Manual in effect at the time of the fires at issue to both Plaintiff and the Court not later than August 9, 2010.
- (2) The bench trial is rescheduled for October 12, 2010, in Panama City, Florida.

- (3) Discovery is reopened until September 17, 2010, for the limited issues of the discretionary function defense and the Suwannee Road One Fire causation.
- (4) Discovery shall be expedited. The parties shall respond to discovery requests not later than 10 days after the request is propounded.
- (5) E-mails and phone calls related to discovery issues shall be promptly returned in no more than 36 hours.
- (6) Plaintiff shall supplement its motion for summary judgment not later than September 24, 2010. Defendant shall supplement its response not later than October 1, 2010.
- (7) Any additional issues shall immediately be brought to my attention so there is no delay in their resolution. Counsel is instructed to communicate to their clients that this case is to be a priority, and delays in responses are inexcusable.

ORDERED on July 23, 2010.

/s/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE