

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

<p>MARK S. PRESCOTT,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>UNITED STATES OF AMERICA,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>1:14-cv-00551-JDL</p>
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ORDER REGARDING DISCOVERY, THE GOVERNMENT’S MOTION TO DISMISS FOR LACK OF JURISDICTION, AND PROCEDURAL ORDER

For the reasons stated on the record of the hearing held on August 2, 2016, it is hereby **ORDERED** as follows:

1. The Government’s Motion to Extend Time for Discovery Responses (ECF No. 47) is **GRANTED IN PART** with respect to the production of documents for all custodians who do not have documents stored on the United States Veterans Administration’s (the “VA’s”) national archive system. The Government shall produce these documents on a rolling basis to the extent reasonably possible, but no later than September 2, 2016.

2. The Government’s Motion to Extend Time for Discovery Responses (ECF No. 47) is **GRANTED IN PART** with respect to the production of documents for the two custodians who have documents stored on the VA’s national archive system. The Government shall produce these documents on a rolling basis to the extent reasonably possible, but no later than October 21, 2016.

3. The Government’s Motion to Extend Time for Discovery Responses (ECF No. 47) is **DENIED IN PART AS MOOT** with respect to its request for an extension of time to produce complete supplemented interrogatory answers, and with respect to its request to reschedule the August 2, 2016, hearing.

4. The Government’s Motion to Dismiss for Lack of Jurisdiction (ECF No. 15) is **DENIED WITHOUT PREJUDICE** with leave to file a subsequent motion to dismiss.

5. If Plaintiff decides to file a new amended complaint resulting from the Government's document production, he shall file such amendment no later than November 4, 2016.

6. The stay of all deadlines in this case (ECF No. 36) which the Court entered on March 1, 2016, shall be lifted as of November 4, 2016. After November 4, 2016, the deadline for any responsive pleading or motion by the Government will begin to run in accordance with the applicable Local Rules and Federal Rule of Civil Procedure 12.

SO ORDERED.

This 3rd day of August 2016.

/s/ Jon D. Levy
U.S. DISTRICT JUDGE