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**2233 PARADISE ROAD, LLC
DBA CASH FACTORY USA;
PLAINTIFF,**

JAMES MCCAMMENT, et al.,

**THE HONORABLE
ANDREW P. GORDON**

1. Plaintiff's Complaint seeks judicial review on an administrative record pursuant to 5 U.S.C.

1 § 706 (the Administrative Procedure Act).

2 The Court's role is limited to a review of the administrative record. As such, the parties in this
3 case are exempt from initial disclosures under Federal Rule of Civil Procedure 26(a)(1)(B)(i)
4 and discovery is not available in this matter. Because this matter involves only a review of the
5 administrative record, the parties have agreed that this matter can be fully resolved by the
6 submission of a proposed briefing schedule in accordance with Local Rule 16-1(c)(1) and
7 the filings of motions for summary judgment pursuant to Local Rule 56-1.
8

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10 The parties therefore request relief from filing a Rule 26(f) Report and Case Management
11 Statement, and do not believe that an initial case management conference applies to this case.

12 In lieu of a case management conference, the parties propose the following schedule for
13 submission of briefs in accordance with Local Rule 16-1(c)(1).
14

15 Proposed Briefing Schedule

16 1. Deadline for Filing Agency Administrative Record(s): On or before 60 days after the entry of
17 the Court's Brief Scheduling Order. Federal Defendants have agreed to file the administrative
18 record with the Court and provide Plaintiff a CD-ROM of the administrative record in a word-
19 searchable PDF format.
20

21 2. Deadline to File Motions to Supplement Agency Record(s): The parties will attempt to
22 resolve informally any issues relating to the scope and contents of the administrative record.

23 Any motion to supplement the administrative record, or concerning the scope or contents of, the
24 administrative record ("motion to supplement") must be filed 30 days after Defendants file the
25 administrative record. In the event a motion to supplement the record is filed, the parties hereby
26 agree that the Federal Defendants' responsive brief is due within 14 days after the filing of
27 Plaintiff's motion to supplement. The movant's reply brief is due within 14 days of the date
28

1 Federal Defendants' response brief is filed. Plaintiff shall use their best efforts to coordinate their
2 filing of any motion(s) to supplement and Federal Defendants may, in their discretion, file one
3 consolidated response to any motions to supplement the record.
4

5 3. In the event the Court grants Plaintiff's request to supplement the record, Plaintiff's Motion
6 for Summary Judgment is due 30 days after the record is supplemented. Should the Court rule
7 in favor of Federal Defendants, Plaintiff's Motion for Summary Judgment is due 30 days after the
8 Court's Order.

9 4. In the event there are no motions to supplement the record, Plaintiff's Motion for Summary
10 Judgment is due 50 days after Federal Defendants file the administrative record.
11 Defendants' Opposition and Cross-Motion is due 30 days after Plaintiff's filing of its Motion for
12 Summary Judgment.
13

14 Plaintiff's Reply is due 20 days after the filing of Defendant's Opposition and Cross-Motion.
15 Defendants' Reply is due 20 days after the filing of Plaintiff's Reply.
16

17 5. The parties agree that the Court, in its discretion, may alter or amend the proposed Scheduling
18 Order and that no party has waived or surrendered its right to seek such alteration or amendment
19 by the Court.

20 6. The parties do not propose a date for hearing on the motions, in compliance with Local Rule
21 78-1. However, the parties will be prepared to present oral arguments on the issues discussed in
22 the briefs if it will assist the Court. A Proposed Order is attached.
23

24 Dated this _____ day of July, 2017
25

26 Respectfully submitted,

27 /s/ David B. Gardner

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15 Attorney for Plaintiff

16 /s/ Samuel Go (with permission)
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19 Civil Division
20 Office of Immigration Litigation
21 District Court Section
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26 Attorney for Defendants

27 **[PROPOSED] BRIEF SCHEDULING ORDER**

28 Pursuant to Federal Rule of Civil Procedure 26(a)(1)(B)(i), the parties are relieved from the obligation to file a Rule 26(f) Report and Joint Case Management Statement, and the Initial Case Management Conference. The parties shall adhere to the following schedule in filing briefs with the Court in accordance with Local Rule 16-1(c)(1):

1. Defendants shall file the administrative record within 60 days after the entry of the Court's Brief Scheduling Order.

1 2. In the event the Court grants Plaintiff's Motion to Supplement the Record, Plaintiff's Motion
2 for Summary Judgment is due 30 days after the record is supplemented. Should the Court rule in
3 favor of Federal Defendants, Plaintiff's Motion for Summary Judgment is due 30 days after the
4 Court's Order denying Plaintiff's Motion to Supplement the Record.
5

6 3. In the event there are no Motions to Supplement the Record, Plaintiff's Motion for Summary
7 Judgment is due 50 days after Federal Defendants file the administrative record.
8 Defendants' Opposition and Cross-Motion is due 30 days after Plaintiff's filing of its Motion for
9 Summary Judgment.
10

11 4. Plaintiff's Reply is due 20 days after the filing of Defendants' Opposition and Cross-Motion.

12 5. Defendants' Reply is due 20 days after the filing of Plaintiff's Reply.
13

14 **SO ORDERED.**
15

16 DATED this 25th of July
17 _____, 2017
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19
20 HONORABLE CAM FERENBACH
21 UNITED STATES MAGISTRATE JUDGE
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