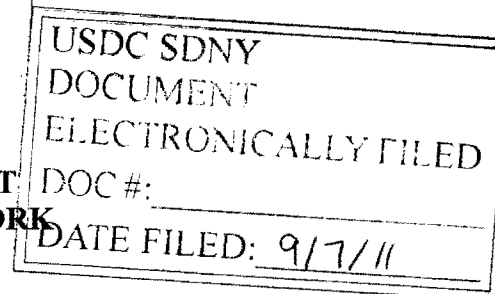


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**



NATURAL RESOURCES DEFENSE
COUNCIL, INC., et al.,

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION et al.,

Defendants.

Case Management Plan

11 CIV 3562 (RMB)
ECF Case

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by September 7, 2011
- (ii) Amend the pleadings by September 7, 2011
- (iii) All discovery to be **expeditiously** completed by Parties do not contemplate discovery.
- (iv) Consent to Proceed before Magistrate Judge Parties consent to proceed before Judge Katz.
- (v) Status of settlement discussions Parties have discussed settlement but have not reached a resolution.

Sections vi through xi will be set at conference with the Court.

- (vi) Motions _____
- (vii) Oral Argument _____
- (viii) Joint Pre-Trial Order to be submitted by _____
- (ix) Final Pre-Trial Conference _____
- (x) Trial _____
- (xi) Other _____

SO ORDERED: New York, New York

9/7/11

RMB

Hon. Richard M. Berman, U.S.D.J.