

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION**

NO. 2:13-CV-1-BO

CAPE HATTERAS ACCESS)
 PRESERVATION ALLIANCE,)
)
 Plaintiff,)
)
 v.)
)
 KENNETH L. SALAZAR, *et al.*,)
)
 Defendants,)
)
 and)
)
 DEFENDERS OF WILDLIFE,)
 NATIONAL AUDUBON SOCIETY,)
 AND NATIONAL PARKS)
 CONSERVATION ASSOCIATION.)
)
 Defendant-Intervenors.)
 _____)

SCHEDULING ORDER

The parties hereto have filed a Discovery Plan which has been considered by the Court and found to be reasonable. In addition, the parties request that they be exempted from the requirement for mediation pursuant to Local Civil Rule 101.a(e). That request is GRANTED. Accordingly, the following critical deadlines shall be imposed:

1. The parties do not anticipate any discovery. However, if discovery is necessary, it shall be completed by June 19, 2013;
2. All potentially dispositive motions will be filed by July 19, 2013;

3. The parties expect this matter to be resolved on the basis of review of the Administrative Record, and a trial is not anticipated. Regardless, the Court reserves the right to schedule the case for trial 30 days after the deadline for filing dispositive motions.

No party is permitted to amend its pleadings without consent or without leave of court and no party may add a party (or parties) without leave of court. This rule does not abrogate a party's ability to amend as of right. See Fed. R. Civ. P. 15(a).

The remaining provisions of the Discovery Plan, not inconsistent with the foregoing deadlines, ARE ADOPTED as this Court's Order.

Any defendant who makes an appearance **after** this scheduling order has been entered shall be required to confer with opposing counsel and make disclosures pursuant to Fed. R. Civ. P. 26(a)(1) within twenty (20) days after the defendant's appearance in the case. In addition, any late-appearing defendant will be bound by the discovery provisions contained in this Order unless the defendant petitions the Court by motion to amend this Order.

Supplementation under Rule 26(e) must be made promptly after receipt of the information by the party or counsel. In addition, motions to join additional parties and to amend pleadings must be made promptly after the information giving rise to the motion becomes known to the party or counsel.

SO ORDERED in Chambers at Raleigh, North Carolina on Monday, February 25, 2013.



WILLIAM A. WEBB
UNITED STATES MAGISTRATE JUDGE