



- April 3, 2019 Defendants shall respond to Plaintiffs' notification as to completeness of the administrative records.
- April 17, 2019 Plaintiffs shall file any motion challenging the completeness of the administrative records, the applicability of any exceptions to record review, or the need for judicial review of extra-record materials.
- May 8, 2019 The NCDOT Defendants and Federal Defendants will each file their response to any motion challenging the completeness of the administrative records, the applicability of any exceptions to record review, or the need for judicial review of extra-record materials.
- May 22, 2019 Plaintiffs shall file their reply brief in support of any motion challenging the completeness of the administrative records, the applicability of any exceptions to record review, or the need for judicial review of extra-record materials.

**Summary Judgment Briefing Schedule**

If record motion briefing proceeds as set forth above, the parties will submit a joint status report within fourteen (14) days of the Court's decision resolving the record motion, proposing a schedule for resolving the merits of Plaintiffs' claims. In the event that no record motion is filed, the parties shall resolve the merits of Plaintiffs' claims through cross-motions for summary judgment as follows:

- April 23, 2019 Plaintiffs shall file their motion for summary judgment. Plaintiffs' supporting memorandum shall not exceed 50 pages.
- May 29, 2019 The NCDOT Defendants and Federal Defendants shall each file their oppositions to Plaintiffs' motion for summary judgment and cross-motions for summary judgment. Defendants' respective supporting memoranda shall not exceed 50 pages each.
- June 27, 2019 Plaintiffs shall file their combined reply and response in opposition to Defendants' respective cross-motions. Plaintiffs' supporting memorandum shall not exceed 40 pages.
- July 19, 2019 The NCDOT Defendants and Federal Defendants each shall file

their replies. Defendants' respective supporting memoranda shall not exceed 25 pages each.

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. Any such motion filed after December 21, 2018, must meet the standards of Fed. R. Civ. P. 15 and 16.

Finally, the parties are reminded that, on request, this court will assist with settlement negotiations or other ADR such as summary jury trial by making available a judge other than the trial judge to explore possibilities.

SO ORDERED. This 17 day of December 2018.

  
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JAMES C. DEVER III  
United States District Judge