

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

North Dakota,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
United States of America,)	Case No. 1:12-CV-125
)	(Lead Case)
Defendant.)	
_____)	
)	
Billings County, et. al.,)	
)	
Plaintiffs,)	
)	Case No. 1:12-CV-102
vs.)	(Consolidated Case)
)	
United States of America,)	
)	
Defendant.)	

The court held a status conference in the above-captioned consolidated action on January 16, 2014. Pursuant to its discussions with the parties, the Third Amended Scheduling/Discover Plan for Jurisdictional Discovery filed on October 29, 2013 (Docket No. 56), shall be further amended as follows:

- The parties shall have until March 28, 2014, to complete their “first round” of depositions.
- The parties shall on or before April 10, 2014, disclose to each other the identities of the persons who will be used as declarants in support of their position with respect to the jurisdictional issues. No party may submit a declaration in support of their

position on the jurisdictional issues (nor call as a witness if live testimony is permitted) a person who has not been disclosed as a declarant in accordance with this order.

- The parties shall have until June 6, 2014, to depose any additional declarants identified by the parties who have not been deposed.
- Defendants shall have until August 15, 2014, to file an amended motion to dismiss. Plaintiffs shall have until October 17, 2014, to file a response in opposition to the motion. Once plaintiffs have filed a response, defendant shall have 45 days to file a reply.

IT IS SO ORDERED.

Dated this 23rd day of January, 2014.

/s/ Charles S. Miller, Jr. _____
Charles S. Miller, Jr., Magistrate Judge
United States District Court