

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
NORTHWEST AUSTIN MUNICIPAL)	
UTILITY DISTRICT NUMBER ONE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:06-cv-1384
)	
ALBERTO GONZALES,)	Three-judge court (PLF, DST, EGS)
Attorney General of the United States,)	
)	
Defendant.)	
_____)	

PLAINTIFF'S PROPOSED SCHEDULING ORDER

After a scheduling conference held in open Court on December ____, 2006, and upon consideration of the parties' joint report to the Court following their conference held under Rule 26(f), Fed. R. Civ. P., and Local Rule 16.3, it is hereby ORDERED that:

1. The parties shall make initial disclosures pursuant to Rule 26(a)(1), Fed. R. Civ. P., by December 15, 2006.
2. The deadline by which any other parties shall be joined or the pleadings amended shall be February 1, 2007.
3. Fact discovery shall commence on December 18, 2006, and shall be completed by March 1, 2007.
4. Defendant or Defendants-Intervenors shall disclose by March 1, 2007, the identification of retained experts, if any, respective vitae, and contractual agreements regarding the nature and scope of expert services, pursuant to Rule 26(a)(2)(A), Fed. R. Civ. P. Exchange of Defendant's or Defendants-Intervenors' expert reports shall occur by March 1, 2007. Plaintiff shall designate rebuttal experts, if any, and disclose any such rebuttal experts and exchange

reports of any such rebuttal experts by May 1, 2007. Depositions of experts shall occur no sooner than May 1, 2007 and no later than August 1, 2007.

5. All parties have advised the Court that they believe that all issues in the case can be resolved by the filing of cross-motions for summary judgment. If no experts are designated, the parties shall file any dispositive motions within 60 days after the completion of discovery. If Defendant or Defendant-Intervenors designate experts, the parties shall file any dispositive motions by October 1, 2007. Oppositions to any dispositive motions shall be due within 30 days of the filing of a motion, and any reply shall be due within 21 days of filing of an opposition.

6. If needed, a pretrial conference shall be had before the Court on December 11, 2007, at ____ A.M./P.M. Counsel who will try the case must attend. The Court will set a trial date at the pre-trial conference. A pretrial statement shall be filed and served by each party at least 11 days before the conference in the manner prescribed in Local Rule 16.5.

7. Pursuant to Fed.R.Civ.P. 16(e), this Order shall control the course of this action unless modified by subsequent Order.

SO ORDERED.

Done at Washington, D.C., this _____ of December, 2006.

The Honorable Paul L. Friedman
United States District Judge
For the Three-Judge Court