

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.)	
_____)	

PROPOSED SCHEDULING ORDER
OF DEFENDANT AND DEFENDANT-INTERVENORS

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 December 15, 2006.
3. Fact discovery shall commence on December 18, 2006, and shall be completed by March 1, 2007.
4. All parties shall disclose by January 16, 2007, the identification of retained experts, respective vitae and contractual agreements regarding the nature and scope of expert services, pursuant to Rule 26(a)(2)(A), Fed. R. Civ. P., and all parties shall disclose by February 16, 2007, the identification of any retained rebuttal experts, respective vitae and contractual arrangements

regarding the nature and scope of rebuttal expert services. All parties shall exchange their expert reports by March 1, 2007, and all parties shall exchange their rebuttal expert reports by April 2, 2007. Expert discovery shall close on April 9, 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. Accordingly, to ensure the speedy and efficient resolution of this matter, all parties shall file cross-motions for summary judgment that address all issues in contention in this action, due on April 16, 2007, with oppositions due on May 16, 2007, and replies due on June 6, 2007.

6. If needed, a pretrial conference shall be held 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