

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOHN EAKIN,

Plaintiff,

v.

AMERICAN BATTLE MONUMENTS  
COMMISSION, et al.,

Defendants.

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SA-12-CA-1002 FB (HJB)

**ORDER**

Before the Court is the Joint Proposed Scheduling Recommendations submitted by the parties on November 27, 2013. (Docket Entry 43.) The parties propose deadlines for filings related to a dispositive motion to be filed by Defendants, but they do not propose any discovery-related deadlines apparently because they dispute the availability of discovery in this case. Nor do they propose deadlines for mediation or other alternative dispute resolution (ADR). (*See id.*)


Considering the length of time this case has already been pending, the Court finds it is in the interests of justice to impose deadlines for resolution of the parties' discovery disputes, and for disclosure of the parties' positions regarding ADR. Accordingly, it is hereby **ORDERED** as follows:

1. Defendants must file their Answer, or file a dispositive motion in lieu of an Answer, **on or before December 16, 2013.**
2. Should Defendants file a dispositive motion in lieu of an Answer, Plaintiff must respond to the motion **on or before January 21, 2014**, and Defendants may reply if necessary **on or before February 4, 2014.**

3. Plaintiff must file any motion for discovery on or before **February 4, 2014**. Defendants must respond to such motion **on or before February 14, 2014**.

4. The parties must file an ADR report in compliance with Local Rule CV-88 **on or before February 21, 2014**. Regardless of whether the parties conclude that ADR is appropriate, the ADR report must include the name, address, and telephone number of a court-approved mediator, or another mediator agreed upon by both parties.

**SIGNED** on December 4, 2013.

  
Henry J. Bemporad  
United States Magistrate Judge