

United States District Court  
Western District of Texas  
San Antonio Division

John Eakin,  
Plaintiff,

v.

United States Department of Defense,  
Defendant.

No. SA-16-CV-00972-RCL

**Scheduling Order**

Plaintiff intends to file a Motion to Lift the Open America Stay and for a Better Search no later than October 9, 2020. The parties have agreed that if Mr. Eakin files his Motion no later than October 9, 2020, Defendant shall have until October 30, 2020 to file its response. If Plaintiff elects to submit a reply in support of Plaintiff's Motion to Lift the Open America Stay and for a Better Search, such reply shall be due by November 6, 2020.

The parties have agreed that Defendant shall have until November 30, 2020 to file its Motion for Summary Judgment or, in the alternative, request for Open America Stay regarding Plaintiff's First Amended Complaint. Plaintiff will file his response by December 18, 2020. If Defendant elects to submit a reply in support of its Motion for Summary Judgment or, in the alternative, request for Open America Stay regarding Plaintiff's First Amended Complaint, such reply shall be due by January 8, 2021.

It is **SO ORDERED**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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ROYCE C. LAMBERTH  
UNITED STATES DISTRICT JUDGE