

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**FILED**

May 31, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: NM  
DEPUTY

JOHN EAKIN,

*Plaintiff,*

v.

UNITED STATES DEPARTMENT  
OF DEFENSE,

*Defendant.*

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No. SA-16-CV-972-RCL

**PROPOSED SCHEDULING ORDER**

This matter is before the Court on the parties’ Joint Motion for Entry of Scheduling Order. Upon review of the entire record of this case, and for good cause shown, it is HEREBY ORDERED that the Motion is GRANTED. It is FURTHER ORDERED that:

- 1. Following the expiration of the *Open America* stay on July 8, 2023, the parties shall promptly confer in good faith to attempt to resolve any disputes regarding the government’s production of documents.
- 2. If Plaintiff considers the government’s productions to be sufficient and/or the Defendant adequately addresses any issues raised by the Plaintiff, the parties will file a Joint Stipulation of Dismissal.
- 3. If, despite a good faith effort, the parties are unable to resolve any issue related to the government’s productions, the parties shall file motions to resolve this case on the following schedule:
  - a. Plaintiff shall file any motion for summary judgment, motion to compel, motion for a better search, or other dispositive motion on or before **September 8, 2023.**

b. Defendant shall file its response to Plaintiff's motion, as well as any cross-motion for summary judgment or other dispositive motion, on or before **September 29, 2023**.

c. Plaintiff shall file any reply in support of its motion as well as any response to Defendant's motion on or before **October 20, 2023**.

d. Defendant shall file any reply in support of its motion on or before **November 10, 2023**.

4. Pursuant to Local Court Rule CV-7, each motion and response shall be limited to 20 pages, and each reply shall be limited to 10 pages.

5. The parties may request that the Court extend or alter any deadline set forth in this

Order for good cause. *The Court commends the parties and counsel for their expense in readying this dispute upon order*  
SO ORDERED this 31st day of May, 2023.

  
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THE HONORABLE ROYCE C. LAMBERTH  
UNITED STATES DISTRICT JUDGE