

In the United States Court of Federal Claims

Filed: July 2, 2018

IN RE DOWNSTREAM ADDICKS
AND BARKER (TEXAS) FLOOD-
CONTROL RESERVOIRS

Sub-Master Docket No. 17-9002L

THIS DOCUMENT APPLIES TO:

ALL DOWNSTREAM CASES

SCHEDULING ORDER

On July 2, 2018, the court convened a telephone status conference during which the parties discussed the schedule in the above-captioned case. After considering the parties' argument at that status conference, the court has determined that the following schedule will supersede prior Scheduling Orders and govern this case:

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| October 5, 2018 | Fact Discovery Concludes. |
| November 5, 2018 | Both Parties Simultaneously Will Exchange Expert Reports. |
| December 7, 2018 | Expert Discovery Concludes. |
| January 11, 2019 | The Government Will File A Statement Of Material Facts To Support Any Motion For Summary Judgment, Together With Any Affidavits Or Declarations. <i>See</i> Rule of the United States Court of Federal Claims ("RCFC") 56(a). |
| January 18, 2019 | Plaintiffs Will File A Response, Either Accepting Or Rejecting The Government's January 11, 2019 Statement Of Material Facts. (If Plaintiffs Accept The Government's January 11, 2019 Statement Of Material Facts, The Court Will Set A Briefing Schedule On February 1, 2019. If Plaintiffs Do Not Accept The Government's January 11, 2019 Statement Of Material Facts, A Pre-Trial Conference Will Be Held On February 1, 2019.). |
| February 1, 2019 | The Court Will Issue A Briefing Schedule For Summary Judgment And Oral Argument, Pursuant To RCFC 56, Or A Pre-Trial Conference And Hearing Will Be Held At 10:00 A.M. (CST) At The United States District Court For The |

Southern District Of Texas In Houston, Texas. *See* RCFC App'x A, VI (Post-Discovery Proceedings).

February 28, 2019

Both Parties Will Meet And Confer And Designate And Exchange Exhibit Lists, Including Any Exhibits To Be Proffered As A Summary. *See* RCFC App'x A, VI 13 (b), (c); *see also* FED. R. EVID. 1006.

Both Parties Will Meet And Confer And Designate And Exchange Witness Lists, Including Experts And Rebuttal Experts. *See* RCFC App'x A, VI 13(b), (c).

Both Parties Will Exchange The Direct Testimony Of Experts.

March 8, 2019

Both Parties Will File A Joint Certification. *See* RCFC App'x A, VI 13(d).

March 25, 2019

Both Parties Simultaneously Will File Any Pre-Trial Memorandum Of Law (Optional).

April 8, 2019

An Evidentiary Hearing To Develop The Factual Record Required To Adjudicate Contested Issues Concerning Jurisdiction And A Trial On Liability Will Commence At 10:00 A.M. (CST) At The United States District Court For The Southern District Of Texas In Houston, Texas. Both Parties Will Provide Opening Statements.

April 9, 2019

The Court Will Conduct A Ground And Aerial Site Tour With Both Parties' Counsel And Expert Witnesses.

April 10, 2019

The Evidentiary Hearing And Trial Will Resume And Continue Until Completion.

IT IS SO ORDERED.

s/ Susan G. Braden

Susan G. Braden

Chief Judge