

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Adam Steele and Brittany Montrois,)
on behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

v.)

United States of America,)

Defendant.)
_____)

Civil Action No.: 1:14-cv-01523-RCL

**INTERIM JOINT WRITTEN REPORT OUTLINING THE
DISCOVERY PLAN AND PROPOSED SCHEDULING ORDER**

Pursuant to this Court’s Order dated June 30, 2015 (Dkt. 38) (the “Order”) and Local Rule 16.3, the parties submit this Interim Joint Written Report Outlining the Discovery Plan and Proposed Scheduling Order. The parties met and conferred via conference call on July 6 and July 13, 2015. During those meet and confers, the parties discussed the Order and the requirements of Local Rule 16.3. Based on these discussions, the parties propose the following:

1. By no later than August 7, 2015, plaintiffs shall file an Amended Complaint consolidating the claims in the current *Steele* complaint with the claims previously pled in *Dickson v. United States*, Civil Action No. 1:14-cv-02221-RCL. This Amended Complaint, once filed, shall be the sole operative Complaint for the claims raised in this action and those previously raised in the *Dickson* Action.

2. By no later than August 21, 2015, the parties shall submit to the Court a complete discovery, class certification, and dispositive motion schedule governing the balance of this case up until trial. Plaintiffs have provided the United States with a proposed schedule (see attached)

covering each of these elements. The United States has no conceptual objection to the schedule proposed by plaintiffs. However, the United States requested two weeks (i.e., until August 21, 2015) to evaluate the Amended Complaint before finalizing the dates in plaintiffs' proposed schedule. Plaintiffs do not object to the United States' request.

3. The parties recognize that, pursuant to the Order, they are required to file a discovery plan and proposed scheduling order by July 29, 2015. The parties are filing this Interim Report early with the hope that the Court will adopt this interim proposed schedule with the understanding that a comprehensive pretrial schedule will be submitted by no later than August 21, 2015. The parties believe, based on their conferences to date, that they will not have any problem submitting such a discovery and motion schedule by August 21, 2015. Nonetheless, if the Court prefers, the parties are prepared to provide the Court with a discovery plan and proposed scheduling order by July 29, 2015. In that case, the United States will require extension of the dates set forth in plaintiffs' proposed schedule in order to protect itself should the amended complaint include unexpected allegations.

The parties respectfully request that the Court adopt this Interim Proposed Scheduling Order.

Dated: July 15, 2015

Respectfully submitted,

By: s/ William H. Narwold
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CERTIFICATE OF SERVICE

I, William H. Narwold, declare that I am over the age of eighteen (18) and not a party to the entitled action. I am a member of the law firm MOTLEY RICE LLC, and my office is located at 20 Church Street, 17th Floor, Hartford, CT 06103.

On July 15, 2015, I caused to be filed the following in the above-captioned case:

**Interim Joint Written Report Outlining the Discovery Plan
and Proposed Scheduling Order**

with the Clerk of Court using the Official Court Electronic Document Filing System, which served copies on all interested parties registered for electronic filing.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 15, 2015

Respectfully submitted,

By: s/ William H. Narwold
William H. Narwold
MOTLEY RICE LLC

Plaintiffs' Proposed Schedule

| Event | Date |
|--|--------------------|
| Amended Complaint | August 7, 2015 |
| Discovery Commences | August 21, 2015 |
| Rule 26 Initial Disclosures | August 21, 2015 |
| Filing of Administrative Record and Index | August 21, 2015 |
| Class Certification Motion | August 31, 2015 |
| Defendant's Responsive Pleading | October 6, 2015 |
| Response to Class Certification Motion | October 30, 2015 |
| Reply to Class Certification Motion | December 15, 2015 |
| Joinder of Other Parties and Pleading Amendments | February 19, 2016 |
| Close of Fact Discovery | April 29, 2016 |
| Expert Reports on Issues Where Party has Burden of Proof | May 20, 2016 |
| Responsive Expert Reports | June 24, 2016 |
| Rebuttal Expert Reports | July 29, 2016 |
| Expert Discovery Cut off | September 16, 2016 |
| Summary Judgment and <i>Daubert</i> Motions | October 7, 2016 |
| Summary Judgment and <i>Daubert</i> Oppositions | November 4, 2016 |
| Summary Judgment and <i>Daubert</i> Replies | December 2, 2016 |