

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

U.S. NAVY SEALs 1–26, et al.,

Plaintiffs,

v.

LLOYD J. AUSTIN, III, et al.,

Defendants.

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Civil Action No. 4:21-cv-01236-O

ORDER & AMENDED SCHEDULING ORDER

Before the Court is the Unopposed Motion to Modify the Scheduling Order (ECF No. 217), filed January 27, 2023. The Court also takes notice that the Parties have concurrently filed their briefs on mootness with the Fifth Circuit and with this Court. *See* ECF Nos. 218, 219-1.

The Unopposed Motion to Modify the Scheduling Order (ECF No. 217) is hereby **GRANTED in part and DENIED in part**. The trial date will remain unchanged, but the Court finds good cause to **AMEND** the May 24, 2022 Scheduling Order (ECF No. 158) as follows:

Initial Expert Designation & Report	February 28, 2023
Responsive Expert Designation & Report	March 17, 2023
Rebuttal Expert Designation	14 days after disclosure made by other party
Expert Objections	May 15, 2023
Dispositive Motions	April 28, 2023
Mediation	March 31, 2023
Completion of Discovery	April 21, 2023
Pretrial Disclosures and Objections	May 10, 2023. Objections due 14 days thereafter.
Pretrial Materials (pretrial order etc.)	May 25, 2023
Exchange of Exhibits	June 5, 2023

Some of these listed deadlines have not been amended, but the Court provides them here collectively for the convenience of the Parties. All other deadlines not specified here remain unchanged.

Plaintiffs also request the Court to appoint a mediator for this dispute. United States Magistrate Judge Cureton is hereby **APPOINTED** to mediate this case. The Parties shall contact him directly to arrange for mediation **on, or before, March 31, 2023**.

Furthermore, in their Fifth Circuit brief on mootness, the government asserts, “The United States also intends to seek dismissal of the entire case as moot in the district court.” *See* Government’s Fifth Circuit Brief on Mootness 8, ECF No. 219-1. The government **SHALL** file their assertion of mootness **no later than February 6, 2023**. Plaintiffs **SHALL** have seven (7) days to file their response, and the government **SHALL** file its reply seven (7) days thereafter.

SO ORDERED on this **30th day of January, 2023**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE