

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
FELD ENTERTAINMENT, INC.)	
)	
Plaintiff,)	
)	
v.)	Civ. Action No. 07-1532 (EGS)
)	
AMERICAN SOCIETY FOR THE)	
PREVENTION OF CRUELTY)	
TO ANIMALS, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

LIMITED SCHEDULING ORDER

Upon consideration of the parties' proposed discovery schedules, contemplating limited discovery prior to resolution of defendants' motions to dismiss, it is hereby **ORDERED** that:

(1) The parties shall conduct the conference required by Fed. R. Civ. P. 26(f)(1)-(2) by no later than **December 17, 2010**.

(2) The parties shall exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) by no later than **January 28, 2011**.

(3) The parties shall submit a written report to the Court outlining a proposed plan for initial discovery pursuant to Fed. R. Civ. P. 26(f)(3), except as such an initial discovery plan has already been set forth in this Order, by no later than **February 11, 2011**.

(4) The parties shall commence written discovery (interrogatories, document production requests, inspection

requests, admissions requests and requests to third parties) by no later than **February 25, 2011**.

(5) Defendants' motions to dismiss will be ripe by no later than **April 1, 2011**.

(6) Dates for additional events and conferences with the Court shall be established at a later time by further order of the Court.

(7) If, at any point in time, the parties desire to have a mediator from the District Court's mediation program appointed to assist with settlement discussions, the parties shall electronically file a motion captioned "Joint Motion for Appointment of a Mediator."

(8) Pursuant to Local Civil Rule 7(m), counsel shall confer in good faith in an effort to resolve any discovery disputes before bringing the disputes to the Court. See Local Civ. R. 7(m) ("Before filing any nondispositive motion in a civil action, counsel shall discuss the anticipated motion with opposing counsel, either in person or by telephone, in a good faith effort to determine whether there is any opposition to the relief sought and, if there is opposition, to narrow the areas of disagreement. The duty to confer also applies to non-incarcerated parties appearing pro se. A party shall include in its motion a statement that the required discussion occurred, and a statement as to whether the motion is opposed.").

(9) Counsel are hereby notified that the party that does not prevail in a discovery dispute shall be ordered to pay the costs involved, including reasonable attorney's fees, absent a determination by the Court that such an award would be unjust.

(10) Any motion that does not comply with Local Civil Rule 7(m) may be, *sua sponte*, denied by the Court.

(11) In view of this Court's limited resources, no one should contact chambers by telephone absent exigent circumstances. In the event, however, that it is absolutely necessary to communicate with Judge Sullivan's staff regarding this case, chambers may be contacted at 202-354-3260, or the courtroom deputy, Carol Votteler, may be contacted at 202-354-3152. The parties are directed not to call chambers without opposing counsel on the line. Failure to comply with this provision will be viewed with extreme disfavor by the Court.

(12) Counsel are directed to review the D.C. Bar Voluntary Standards for Civility in Professional Conduct, located in Appendix B to the Local Civil Rules. The Court expects counsel to conduct themselves in conformance with these standards.

SO ORDERED.

**Signed: Emmet G. Sullivan
United States District Judge
December 9, 2010**