## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

FELD ENTERTAINMENT, INC.

:

Plaintiff,

:

v. : Case No. 07- 1532 (EGS)

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AMERICAN SOCIETY FOR THE

PREVENTION OF CRUELTY

ANIMALS, et al.

:

Defendants.

## **UNOPPOSED MOTION FOR A RULE 16 CONFERENCE**

The Court previously issued a Limited Scheduling Order, DE 56 (12-9-10), pursuant to which the parties: (1) conducted a Rule 26(f) conference; (2) exchanged Rule 26(a)(1) initial disclosures; (3) filed Rule 26(f)(3) discovery plans with the Court, DE 59 & 62 (2-11-11); and (4) served limited written discovery. Discovery subsequently was stayed by the Court. Minute Order (3-8-11).

In light of the Court's 7-9-12 Order and Opinion (DE 89 & 90) granting in part and denying in part defendants' motion to dismiss, and in order to facilitate the efficient and orderly administration of discovery, Plaintiff Feld Entertainment, Inc. ("FEI") and defendants have agreed to: (1) meet and confer on August 21, 2012 regarding the status of discovery; (2) file a joint discovery plan, or separate discovery plans if the parties cannot agree upon a joint discovery plan, on or before September 10, 2012; (3) request that the Court set a Rule 16 initial scheduling conference; and (4) hold all responses to outstanding written discovery in abeyance until the Rule 16 conference is held.

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Therefore, FEI hereby requests that the Court set a Rule 16 initial scheduling conference no later than thirty (30) days following the filing of the discovery plan(s) on or before September 10, 2012.

Pursuant to Local Rule 7(m), counsel for FEI conferred with Roger E. Zuckerman, counsel for defendant Fund for Animals and representative of all defendants, and defendants consent to the relief requested herein.

Dated: July 31, 2012 Respectfully submitted,

/s/ John M. Simpson

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