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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA,  
  
Plaintiff,  
  
v.  
  
IIPAY NATION OF SANTA YSABEL,  
*et al.*  
  
Defendants.

CASE NO. 3:14-cv-02724-AJB-NLS  
CASE NO. 3:14-cv-02855-AJB-NLS

**SCHEDULING ORDER FOR  
CONSOLIDATED CASES**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
IIPAY NATION OF SANTA YSABEL,  
*et al.*  
  
Defendants.

1 On August 21, 2015, the parties to *State of California v. Iipay Nation of Santa*  
2 *Ysabel, et al.* (Case No. 3:14-cv-02724-AJB-NLS) (“State Case”) and *United States*  
3 *of America v. Iipay Nation of Santa Ysabel, et al.* (Case No. 3:14-cv-02855-AJB-  
4 NLS) (“United States Case”) filed a Rule 26(f) Report and Joint Case Management  
5 Statement (ECF No. 31). On August 31, 2015, the Order Granting Joint Motion To  
6 Consolidate was entered. (ECF No. 32.)

7 The Court now **ORDERS** that the following scheduling shall apply to the  
8 consolidated cases:

9 1. United States Response to Counterclaim: The United States will respond to  
10 the counterclaim and third party complaint filed in the United States Case within  
11 the timeframe provided by Fed. R. Civ. P. 12(a)(2). In the event that law and  
12 motion proceedings or other litigation issues interfere with the scheduling set forth  
13 below, the parties have agreed that the Tribal Third Party Plaintiffs’ claim against  
14 the National Indian Gaming Commission in the United States Case may be  
15 bifurcated. If the claim is bifurcated, it shall be subject to a supplemental  
16 scheduling order.

17 2. Rule 65 Motion Schedule. The parties have agreed that, pursuant to Fed.  
18 R. Civ. P. Rule 65(a)(2), trial on the merits will be consolidated with the hearing on  
19 plaintiffs’ motions for preliminary injunction in accordance with following:

- 20 a. Plaintiffs’ Motions: **December 21, 2015**
- 21 b. Defendants’ Oppositions: **January 11, 2016**
- 22 c. Plaintiffs’ Replies: **January 15, 2016**
- 23 d. Pretrial Conference: **January 19, 2016 at 3:00 p.m.** before **District**  
24 **Judge Battaglia**
- 25 e. Trial: **February 9, 2016 at 9:00 a.m.** (maximum four days) before  
26 **District Judge Battaglia**


27 **Further order regarding pretrial dates to follow.**

1           3. Discovery Schedule. Except for motions to compel and discovery  
2 compelled pursuant to such motions, all discovery shall be completed on or before  
3 the discovery cut-off as follows:

- 4           a. Rule 26 Initial Disclosures: **September 4, 2015**
- 5           b. Non-Expert Depositions: September 21, 2015, through **November 13,**  
6           **2015**
- 7           c. Expert Disclosure: **November 18, 2015**
- 8           d. Supplemental Expert Disclosure: **December 2, 2015**
- 9           e. Expert Depositions: **December 11, 2015**
- 10          f. Discovery Cut-off: **December 11, 2015**

11           **IT IS SO ORDERED.**

12           Dated: September 9, 2015

  
13           Hon. Nita L. Stormes  
14           United States Magistrate Judge

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