

FOR THE DISTRICT OF ALASKA

CRUISE LINES INTERNATIONAL )  
ASSOCIATION ALASKA, and CRUISE )  
LINES INTERNATIONAL ASSOCIATION, )  
) )  
Plaintiffs, )  
) )  
vs. )  
) )  
THE CITY AND BOROUGH OF JUNEAU, )  
ALASKA, a municipal corporation, and )  
RORIE WATT, in his official capacity as )  
City Manager, )  
) )  
Defendants. )  
\_\_\_\_\_ )

No. 1:16-cv-0008-HRH

AMENDED  
SECOND AMENDED SCHEDULING  
AND PLANNING ORDER

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Based upon the parties’ joint status report and proposal regarding scheduling and planning order dates,<sup>1</sup> filed June 13, 2017, the court’s amended scheduling and planning order<sup>2</sup> of January 25, 2017, was further amended by the court’s second amended scheduling and planning order.<sup>3</sup>

By unopposed motion, defendants seek a further revision of the case schedule in two respects: (a) the parties had asked for a date for the filing of preliminary motions, and (2) the parties had requested that dispositive motions be due May 15, 2018. With

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<sup>1</sup>Docket No. 57.

<sup>2</sup>Docket No. 48.

<sup>3</sup>Docket No. 58.

plaintiffs' concurrence, defendants seek to have the court include both of their foregoing requests.

The court omitted a date for the filing of preliminary motions purposefully. This case was commenced by the filing of plaintiffs' original complaint on April 13, 2016.<sup>4</sup> Initial motion practice was undertaken and has been resolved.<sup>5</sup> The court ordinarily calls for preliminary motion practice within 60 days of the filing of a complaint for purposes of taking up such matters as jurisdiction and venue, etc. It is the court's perception that the time for "preliminary" motions has passed; but the parties should understand that the absence of that provision does not preclude any party from filing a timely motion on any subject.

With respect to the time for dispositive motions, defendants have shown good cause for the court to defer the deadline for filing dispositive motions from March 30 to May15, 2018.

The second amended scheduling order is further amended as follows:

Respond to Designated Outstanding Written Discovery:	August 14, 2017
Exchange Preliminary Witness Lists:	August 28, 2017
Identify Expert Witnesses (Plaintiff):	September 25, 2017
Identify Expert Witnesses (Defendant):	October 25, 2017
Plaintiffs Serve Expert Witness Disclosures (Rule 26(a)(2)):	October 30, 2017
Defendants Serve Expert Witness Disclosures (Rule 26(a)(2)):	November 27, 2017

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<sup>4</sup>Docket No. 1.

<sup>5</sup>Docket No. 34.

Exchange Expert Witness Rebuttal Reports:	December 13, 2017
Exchange Final Witness Lists:	October 30, 2017
Close of Fact Discovery:	January 16, 2018
Motions Under the Discovery Rules:	January 25, 2018
Close of Expert Discovery:	February 15, 2018
Deadline to File Motions to Amend/- Add Parties:	July 25, 2017
Deadline to File Motions <u>in Limine</u> : <sup>6</sup>	
Deadline to File Dispositive Motions:	May 15, 2018

DATED at Anchorage, Alaska, this 23rd day of June, 2017.

/s/ H. Russel Holland  
United States District Judge

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<sup>6</sup>Motions in limine shall be served and filed not later than 30 days following the later of the date for the filing of dispositive motions or the date of the court's ruling on timely dispositive motions.