

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

JAMES D'CRUZ; ANDREW PAYNE;
NATIONAL RIFLE ASSOCIATION OF
AMERICA, INC.,

Plaintiffs,

v.

Case No. 5:10-cv-00140-C

THE BUREAU OF ALCOHOL,
TOBACCO, FIREARMS, AND
EXPLOSIVES; KENNETH E. MELSON,
in his official capacity as Acting Director
of the Bureau of Alcohol, Tobacco,
Firearms, and Explosives; ERIC
HOLDER, in his official capacity as
Attorney General of the United States,

Defendants.

**ORDER GRANTING
UNOPPOSED MOTION TO ESTABLISH A BRIEFING SCHEDULE**

Came on this day Plaintiffs' Unopposed Motion to Establish a Briefing Schedule, and the Court having read the motion and pleadings on file is of the opinion that the motion is meritorious and should be **GRANTED**.

It is therefore **ORDERED** that the following schedule is established in this matter:

December 17, 2010: Defendants' Answer and/or dispositive motion due;

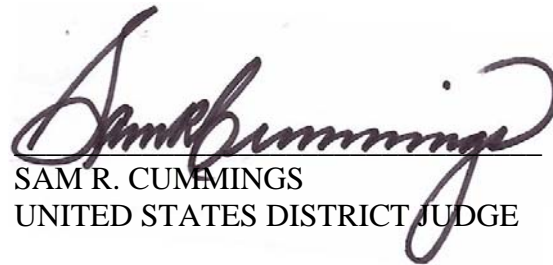
January 14, 2011: Plaintiffs' response to Defendants' dispositive motion due;
Plaintiffs' motion for summary judgment due;

February 14, 2011: Defendants' reply in support of dispositive motion due;
Defendants' response to Plaintiffs' motion for summary judgment due;

March 11, 2011: Plaintiffs' reply in support of motion for summary judgment due.

It is further **ORDERED** that while no discovery will proceed at this time, Plaintiffs reserve the right to seek discovery after Defendants file a dispositive motion or a response to Plaintiffs' motion for summary judgment. Defendants reserve the right to oppose any such discovery. Plaintiffs' willingness to agree to this schedule at this time will not be a legitimate basis for resisting later discovery. The Court and the parties recognize that if such discovery is permitted, the schedule set out herein may need to be adjusted to permit completion of such discovery.

Dated November 8, 2010.



SAM R. CUMMINGS
UNITED STATES DISTRICT JUDGE