

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**THE MANUFACTURED HOUSING
INSTITUTE and THE TEXAS
MANUFACTURED HOUSING
ASSOCIATION,**
Plaintiffs

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CASE NO. 1:23-CV-00174-DAE

v.

**THE UNITED STATES
DEPARTMENT OF ENERGY and
JENNIFER M. GRANHOLM,**
Defendants

AMENDED SCHEDULING ORDER

On this day, the Court granted the parties’ Joint Motion for Entry of Scheduling Order, filed May 16, 2024 (Dkt. 60). The Court denied Plaintiff’s request to enter a discovery deadline, and the remaining joint scheduling recommendations provided by the parties in the motion are adopted by the Court. Therefore, the following dates are entered to control the course of this case:

1. Defendants shall file their Answer to the Amended Complaint by **June 21, 2024**.
2. Federal Rule of Civil Procedure 26 initial disclosures are not required for this matter.
3. Defendants shall finalize, and produce to Plaintiffs, an index of the Administrative Record by **July 1, 2024**.
4. Any motion for leave to conduct discovery outside the Administrative Record shall be filed by **July 15, 2024**.
5. Plaintiffs shall provide to Defendants any additional or supplemental materials that Plaintiffs contend should be included in the Administrative Record by **August 2, 2024**.
6. Defendants shall inform Plaintiffs whether they object to the inclusion of any such additional or supplemental materials to the Administrative Record by **August 16, 2024**.
7. To the extent Defendants object to the inclusion of additional or supplemental materials proposed by Plaintiffs for inclusion into the Administrative Record, by **August 30, 2024**, Plaintiffs shall file a motion to supplement the Administrative Record. Defendants shall have 21 days to file a response brief, and Plaintiffs shall have 14 days to file a reply brief.

8. Plaintiffs shall file their motion for summary judgment by **December 13, 2024**. Plaintiffs' motion shall be limited to **30 pages**.

9. Defendants shall jointly file their response to Plaintiffs' motion for summary judgment and their cross-motion for summary judgment by **January 17, 2025**. Defendants' joint filing shall be limited to **40 pages**.

10. Plaintiffs shall jointly file their response to Defendants' cross-motion for summary judgment and their reply in support of Plaintiffs' motion for summary judgment by **February 7, 2025**. Plaintiffs' joint filing shall be limited to **25 pages**.

11. Defendants shall file their reply in support of Defendants' cross-motion for summary judgment by **February 28, 2025**. Defendants' reply shall be limited to **15 pages**.

12. If required, a hearing on dispositive motions will be set by the Court for a date after the deadline for Defendants' reply.

IT IS FURTHER ORDERED that the Clerk remove this case from this Magistrate Judge's docket and return it to the docket of the Honorable David A. Ezra.

SIGNED on June 17, 2024.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE