

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

2014 OCT -6 PM 12: 39

BY
DEPUTY CLERK

GROCERY MANUFACTURERS)
ASSOCIATION, SNACK FOOD)
ASSOCIATION, INTERNATIONAL)
DAIRY FOODS ASSOCIATION, and)
NATIONAL ASSOCIATION OF)
MANUFACTURERS,)

Plaintiffs,)

v.)

WILLIAM H. SORRELL, in his official)
capacity as the Attorney General of)
Vermont; PETER E. SHUMLIN, in his)
official capacity as Governor of Vermont;)
TRACY DOLAN, in her official capacity)
as Commissioner of the Vermont)
Department of Health; and JAMES B.)
REARDON, in his official capacity as)
Commissioner of the Vermont Department)
of Finance and Management,)

Defendants.)

Case No. 5:14-cv-117-cr

STIPULATED JOINT MOTION FOR SCHEDULING ORDER

Plaintiffs and Defendants (the Parties), by and through the undersigned counsel, hereby move for the entry of a scheduling order with respect to Defendants' Motion to Dismiss (ECF No. 24); Plaintiffs' Motion for a Preliminary Injunction (ECF No. 33); and Plaintiffs' Motion for Leave to Amend the Complaint (ECF No. 37). In support of the instant Motion, the Parties state as follows:

1. Plaintiffs filed the Complaint in this action on June 12, 2014. Defendants moved to dismiss the Complaint on August 8, 2014.

2. On September 11, 2014, Plaintiffs moved for a preliminary injunction and separately for leave to amend the Complaint. To address the schedule for briefing the Motions,

the Parties submitted a joint motion for a status conference, which the Court granted. (ECF Nos. 35, 38).

3. A status conference was held on September 19, 2014, with counsel for both sides present. At the conclusion of the conference, the Court instructed the parties to propose a joint briefing schedule within two weeks.

4. The Parties have conferred and hereby propose the following schedule:

November 14, 2014	Defendants' Combined (1) Reply in Support of their Motion to Dismiss; (2) Response to Plaintiffs' Motion for Leave to Amend; and (3) Opposition to Plaintiffs' Motion for a Preliminary Injunction, and any declarations in support thereof
December 5, 2014	Plaintiffs' Reply in Support of their Motion for a Preliminary Injunction, and any rebuttal declarations from Plaintiffs' previously disclosed declarants in support thereof
December 15, 2014	Defendants' [Optional] Sur-Reply in Support of their Motion to Dismiss
December 18 or 19, 2014 [Proposed]	Proposed Oral Argument on the Motion to Dismiss, Motion for Leave to Amend, and Motion for Preliminary Injunction

5. If the Court enters the proposed schedule, the Parties will confer with the intent of submitting stipulated motions at appropriate times regarding the length of the briefs. The Parties state that they intend to propose reasonable page limits to avoid undue burden on the Court.

6. The Parties are available to confer telephonically with each other and/or the Court if the Court has questions or concerns about the proposed schedule or proposed changes thereto.

DATE: October 3, 2014

Respectfully submitted,

Matthew B. Byrne
GRAVEL & SHEA, P.C.
76 St. Paul Street #700
Burlington, VT 05401
Telephone: 802-658-0220
mbyrne@gravelshea.com

/s/ Catherine E. Stetson
Catherine E. Stetson (*admitted pro hac vice*)
Judith E. Coleman (*admitted pro hac vice*)
HOGAN LOVELLS US LLP
555 Thirteenth Street NW
Washington, DC 20004
Telephone: 202-637-5600
cate.stetson@hoganlovells.com

Counsel for Plaintiffs

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Lawrence S. Robbins (*admitted pro hac vice*)
Alan D. Strasser (*admitted pro hac vice*)
Daniel N. Lerman (*admitted pro hac vice*)
Lee Turner Friedman (*admitted pro hac vice*)
ROBBINS, RUSSELL, ENGLERT, ORSECK,
UNTEREINER & SAUBER LLP
1801 K Street, N.W., Suite 411L
Washington, D.C. 20006
(202) 775-4500
lrobbins@robbinsrussell.com

By: /s/ Megan J. Shafritz
Megan J. Shafritz
Jon T. Alexander
Kyle H. Landis-Marinello
Naomi Sheffield
Assistant Attorneys General
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001
(802) 828-5527
megan.shafritz@state.vt.us

Counsel for Defendants

SO ORDERED.


Christina Reiss, Chief Judge

10/6/14