

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA
EX REL. CORI RIGSBY and KERRI RIGSBY**

RELATORS

V.

CIVIL ACTION NO.1:06CV0433 LTS-RHW

STATE FARM INSURANCE COMPANY, ET AL.

DEFENDANTS

**SCHEDULING ORDER
FOR DISPOSITIVE MOTIONS PENDING ON AUGUST 5, 2008**

Now that the relators have retained new counsel, I would like to reach the merits of all the pending motions as soon as it is practical to do so. I realize that newly retained counsel will need a reasonable time to familiarize themselves with the facts and law that apply to these motions. There are currently eleven dispositive motions [91] [96] [98] [106] [108] [115] [156] [160] [161] [179] [181] (with one lengthy attachment [203] submitted by State Farm only last Friday) on the docket. Accordingly, the following briefing schedule will apply:

Relators' responses to the pending motions and supporting memoranda will be due as follows:

Motion To Dismiss for Lack of Jurisdiction [91], Motion To Dismiss for Lack of Jurisdiction [106], Motion To Dismiss [156], Motion To Dismiss for Lack of Jurisdiction and Joinder Motion [160], on or before September 1, 2008;

Motion To Dismiss Pursuant to F.R.Civ.P. 12(b)(6) and 9 [98], Motion To Dismiss under F.R.Civ.P. 12(b)(6) and 9(b) [108], Motion To Dismiss for Failure To Comply with Rules 12(b)(6) and 9(b) [115], Motion To Dismiss Under F.R.Civ.P. 12(b)(6) and 9(b) [161], Motion To Dismiss for Failure to Comply with F.R.Civ.P. 12(b)(6) and 9(b) [179], on or before September 15, 2008;

Motion for Summary Judgment under 31 U.S.C. §3730(e)(4) [181] on or before September 29, 2008.

Movants' rebuttal memoranda shall be due within ten days of the filing of each of the Relators' responses.

Where it is practical and expeditious to do so, Relators and Movants may consolidate their responses and memoranda into as few documents as possible, and to

this end, any responses, rebuttals, or memoranda may incorporate other responses, rebuttals, or memoranda by reference. Likewise, relevant evidentiary materials need be submitted only once and thereafter may be incorporated or cited by reference to the pleading and docket number with which they are first filed. It is my understanding that the Court has all of the deposition testimony given by Relators, and this testimony may be designated by any party by identifying the deponent, the date of the deposition, and a citation to pages and lines without filing deposition excerpts from these depositions as exhibits.

I will entertain and grant extensions of time for these responses and rebuttals on a showing of good cause or based upon reasonable agreements reached by the parties, but it is my intention to decide the merits of these motions expeditiously. Once the motions have been ruled upon, the United States Magistrate Judge will confer with the parties and enter an appropriate scheduling order.

If counsel represents to the Court that it will be necessary to take discovery in order to prepare responses, rebuttals, or supporting memoranda, I will require that the discovery requests be specific and that they be directly relevant to the issues framed by these motions.

SO ORDERED this 6th day of August, 2008.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE