

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

FILED

2007 MAY 10 AM 10:19

IN RE

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
Case No. A-07-104133 AS

HUTTO FAMILY DETENTION CENTER

BY  DEPUTY

ORDER

BE IT REMEMBERED on the 9th day of May 2007 the Court reviewed the file in the above-styled cause, specifically the proposed scheduling orders submitted by Plaintiffs and Defendants. The Court notes that neither side is objectively reasonable in its scheduling requests. For obvious reasons, Defendants seek to create the earliest deadline for adding parties and the shortest, latest discovery window possible in this case. Plaintiffs, however, seek permission to join parties until the date of trial! Plaintiffs assert such an unusual step is necessary to prevent the claimed excesses in this case from evading review. The Court reminds Plaintiffs that they have chosen to bring individual suits under Paragraph 24 of the *Flores* settlement. If unlimited joinder is truly necessary to preserve Plaintiffs' claims, then perhaps they would be better served by filing a class action in the *Flores* court under Paragraph 37 of the settlement.

With this opinion firmly in mind,

IT IS ORDERED that this case REMAINS SET for trial in the month of August 2007.

IT IS FURTHER ORDERED that the above styled case is SET for STATUS CONFERENCE to determine a mutually agreeable expedited scheduling order on **TUESDAY, MAY 29, 2007** at **8:30 A.M.** in Courtroom No. 2, United States Courthouse, 200 West Eighth Street, Austin, Texas.

The parties may, of course, confer and submit a joint scheduling order before that date.

SIGNED this the 9th day of May 2007.



SAM SPARKS
UNITED STATES DISTRICT JUDGE

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