

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

In re:

Land O'Lakes, Inc. (Hudson Oil Refinery Superfund Site) | CERCLA § 106(b) Petition No. 15-01

Docket No. 06-16-08

**JOINT STATUS REPORT**

Pursuant to the Environmental Appeals Board's ("Board") January 9, 2020 Fifth Order Continuing Stay of Proceedings and Requiring Additional Status Reports in this matter, the parties, by and through their counsel, respectfully provide this nineteenth Joint Status Report.

There have been two changes to report from the eighteenth Joint Status Report filed on February 4, 2020.

1. On July 28, 2020, the Court granted the parties' Joint Motion to Enter Seventh Amended Case Management Scheduling Order, and the new schedule reflects an agreed extension of expert discovery, which was completed on August 14, 2020, setting subsequent pre-trial schedule deadlines, and retaining the matter on the February 2021 trial docket. A copy of the July 28, 2020 Order is attached as **Exhibit 1**.

2. On October 2, 2020 the Court granted the parties' Joint Motion to File Oversized Summary Judgment Briefs, granting the parties a combined total of an additional fifteen (15) pages for their summary judgment briefs (Motions, Responses, Replies).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 30, 2020, service of the Nineteenth Joint Status Report was made by electronic mail upon the following:

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U.S. Environmental Protection  
Agency  
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/s/ Stephen L. Jantzen  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAND O’LAKES, INC., and CUSHING,  
OKLAHOMA BROWNFIELDS, LLC,

Defendant.

Case No. CIV-16-170-PRW

**ORDER**

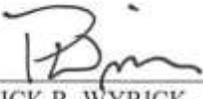
Before the Court is the Parties’ Joint Motion to Enter Seventh Amended Case Management Scheduling Order (Dkt. 118). For good cause shown, the Court **GRANTS** the Joint Motion to Enter Seventh Amended Case Management Scheduling Order as set forth herein:

Item	Stipulated Schedule
Expert depositions concluded	August 14, 2020
All discovery closed	August 14, 2020
Dispositive/Daubert Motions filed	October 16, 2020
Dispositive/Daubert Oppositions filed	November 20, 2020
Dispositive/Daubert Replies filed	December 4, 2020
Designation of deposition testimony to be used at trial	January 11, 2021
Objections to designation of deposition testimony and counter designations of deposition testimony	January 18, 2021

**EXHIBIT 1**

Item	Stipulated Schedule
Objections to counter designations of deposition testimony	January 25, 2021
Motions in limine <sup>1</sup>	January 11, 2021
Requested voir dire	January 11, 2021
Trial briefs (optional unless otherwise ordered)	January 11, 2021
Requested jury instructions <sup>2</sup>	January 11, 2021
Proposed findings and conclusions of law	January 11, 2021
Any objections or responses to motions in limine, voir dire, trial briefs, or jury instructions	January 18, 2021
The Final Pretrial Report, approved by all counsel, and in full compliance with Local Rules, together with a proposed order approving the report	January 11, 2021
Trial	February 2021 <sup>3</sup>

**IT IS SO ORDERED this 28th day of July, 2020.**

  
 PATRICK R. WYRICK  
 UNITED STATES DISTRICT JUDGE

<sup>1</sup> No replies to motions in limine shall be filed without leave of Court.

<sup>2</sup> In addition to filing, the parties **ARE REQUIRED** to submit their proposed jury instructions or in non-jury cases the proposed findings and conclusions of law in **Word** format to the judge via the Court's designated mailbox: Wyrick-orders@okwd.uscourts.gov.

<sup>3</sup> Trial dockets generally begin the second Tuesday of each month; however, this practice varies, particularly during holidays. The published trial docket will announce the trial setting.