

# In the United States Court of Federal Claims

No. 14-354 C  
Filed: July 24, 2014

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SPACE EXPLORATION TECHNOLOGIES \*  
CORP., \*  
\*  
Plaintiff, \*  
\*  
v. \*  
\*  
THE UNITED STATES, \*  
\*  
Defendant, \*  
and \*  
\*  
UNITED LAUNCH SERVICES, LLC, \*  
\*  
Defendant-Intervenor. \*  
\*  
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## MEDIATION SCHEDULING ORDER

Pursuant to RCFC 16, the following deadlines will govern the initial stage of proceedings to resolve this case by mediation:

On or before August 8, 2014, under seal, the Government will provide Plaintiff’s counsel with documents identifying the missions that the United States Air Force (“Air Force”) has ordered or intends to order under the “block buy” contract, together with sufficient technical information to allow Plaintiff to determine whether and when it can perform those missions. The Government also will disclose to Plaintiff’s counsel an outline of activity under the “block buy” contract, including launch vehicle orders and monetary outlays, for the next six months.

On or before September 10, 2014, under seal, Plaintiff will provide the Government with a letter to identify issues proposed to be mediated, proposed procedures, proposed participants, including a proposed mediator, proposed timetable for mediation, and objective to be accomplished.

On or before October 14, 2014, the Government will evaluate Plaintiff’s proposal and notify the court, in writing and on the record, if, and the date by which, it will request the Air Force, the United States Department of Defense, and the United States Department of Justice’s permission to engage in mediation.

The Plaintiff and Government may involve the Defendant-Intervenor in these initial stages of proceedings to resolve this case by mediation, if either believes doing so would be productive. To facilitate the good faith efforts of the Government and Plaintiff to undertake these initial steps in a mediation process, all parties are ordered to decline to comment in the press about the substance or assignments set forth herein.

The dates and events identified in this Mediation Scheduling Order are to be accomplished in tandem with those set forth in the Adjudication Scheduling Order issued on this same date.

**IT IS SO ORDERED.**

s/ Susan G. Braden  
**SUSAN G. BRADEN**  
**Judge**