

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

The Ohio Organizing
Collaborative¹, *et al.*,

Plaintiffs,

v.

Jon Husted, *et al.*,

Defendants.

Case No. 2:15-cv-1802

Judge Michael H. Watson

Magistrate Judge King

ORDER

The bench trial in this case concluded on December 3, 2015. Based on the Court's discussion with the parties at the close of trial, the Court hereby **ORDERS** the following:

- A. The parties shall file simultaneous proposed findings of fact and conclusions of law, **not to exceed seventy pages**, by **Friday, December 18, 2015**. No responses will be permitted. While the parties should structure the proposed findings of fact and conclusions of law by separate numbered paragraphs, **the conclusions of law should include citations to findings of fact and a discussion of how those findings of fact lead to the conclusion of law**. Citations to the record may include citations to proffered evidence on which the Court reserved its admissibility ruling


¹ The Ohio Organizing Collaborative has since been substituted as Plaintiff by The Ohio Democratic Party, the Democratic Party of Cuyahoga County, and the Montgomery County Democratic Party.

during trial. The parties should specifically address Defendants' challenge to standing should it remain a disputed issue.

- B. The parties shall also file, by **Friday, December 18, 2015**, simultaneous briefs addressing all outstanding evidentiary issues, including but not limited to: (1) objections to the admissibility of any exhibits tendered at trial; (2) objections to the admissibility of the declarations discussed on the final day of trial; (3) objections to Plaintiffs' designation of the depositions of Matthew Damschroder, John Weber, Daniel Troy, and Patrick McDonald; and (4) the propriety of considering the legislative history material proffered by Plaintiffs pursuant to *Village of Arlington Heights v. Metropolitan Housing Development Corporation*, 429 U.S. 252 (1977). The Court will not impose a page limitation, but no responses will be permitted.
- C. The parties are strongly encouraged to resolve the outstanding objections to *the authenticity* of the Ohio General Assembly session videos proffered by Plaintiffs. In the event the parties are unable to do so, Defendants should be prepared to articulate the basis for questioning the authenticity of the videos given the fact that the Ohio Secretary of State's website includes a link to other videos posted on The Ohio Channel's website and the fact that the websites of the Ohio Senate and Ohio House of

Representatives appear to include some of the very same videos proffered
by Plaintiffs.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT