

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA STATE
CONFERENCE OF THE NAACP, et al.,

Plaintiffs,

v.

PATRICK LLOYD MCCRORY, in his
official capacity as the Governor of North
Carolina, et al.,

Defendants.

**JOINT MOTION TO AMEND
DISCOVERY DEADLINES**

Civil Action No. 1:13-CV-658

LEAGUE OF WOMEN VOTERS OF
NORTH CAROLINA, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et
al.,

Defendants.

Civil Action No. 1:13-CV-660

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE STATE OF NORTH CAROLINA, *et*
al.,

Defendants.

Civil Action No. 13-cv-861

JOINT MOTION TO AMEND DISCOVERY DEADLINES

Pursuant to Fed. R. Civ. P. 29(b), the parties hereby inform the Court that they have reached an agreement to modify the deadlines to complete depositions in the three related cases, *North Carolina State Conference of the NAACP v. McCrory*, 1:13-cv-658 (M.D.N.C.); *League of Women Voters v. North Carolina*, 1:13-cv-660 (M.D.N.C.); and *United States v. North Carolina*, 1:13-cv-861 (M.D.N.C.), and move to amend the deadline to complete depositions as set out in this Court's December 5, 2014 Order. *See* ECF No. 203, 13-cv-861; *see also* Order, ECF No. 218, 13-cv-861 (Feb. 4, 2015) (adjusting due dates for the disclosure of experts).

Discovery is currently set to close on March 23, 2015. The parties agree that all discovery except for depositions should be concluded by March 24, and jointly move to extend the deadline to complete remaining expert and fact depositions, as outlined below. The parties also jointly move to modify slightly the remaining deadlines regarding expert reports. This agreement would not affect the deadlines for dispositive motions or trial as established in the December 5 Order.

The parties agree to the following:

1. Rebuttal Expert Reports will be due on March 16, 2015.
2. Sur-Rebuttal Expert Reports will be due on March 24, 2015.
3. All discovery except for depositions shall be concluded by March 24, 2015.
4. Nothing in the parties' agreement to extend the deposition deadlines shall be used as a basis to change the trial date or the summary judgment deadlines.
5. All depositions of experts and named plaintiffs shall be completed by April 10,

2015.

6. All remaining fact witness depositions shall be completed by April 30, 2015.

The parties respectfully ask the Court to grant this motion and the accompanying proposed order.

Dated: February 27, 2015

Respectfully submitted,

By: /s/ Adam Stein

Penda D. Hair
Edward A. Hailes, Jr.
Denise D. Lieberman
Donita Judge
Caitlin Swain
ADVANCEMENT PROJECT
Suite 850
1220 L Street, N.W.
Washington, DC 20005
Phone: (202) 728-9557
phair@advancementproject.com

Irving Joyner (N.C. State Bar # 7830)
P.O. Box 374
Cary, NC 27512
Phone: (919)319-353
ijoyner@nccu.edu

Adam Stein (N.C. State Bar # 4145)
Of Counsel
TIN FULTON WALKER & OWEN, PLLC
312 West Franklin Street
Chapel Hill, NC 27516
Phone: (919) 240-7089
astein@tinfulton.com

Thomas D. Yannucci
Daniel T. Donovan
Susan M. Davies
K. Winn Allen
Jodi Wu
KIRKLAND & ELLIS LLP
655 Fifteenth St., N.W.
Washington, DC 20005
Phone: (202) 879-5000
tyannucci@kirkland.com

By: /s/ Allison Riggs

Laughlin McDonald*
ACLU Voting Rights Project
2700 International Tower
229 Peachtree Street, NE
Atlanta, GA 30303
(404) 500-1235

Anita S. Earls (State Bar # 15597)
Allison J. Riggs (State Bar # 40028)
Southern Coalition for Social Justice
1415 Highway 54, Suite 101
Durham, NC 27707
Telephone: 919-323-3380 ext. 115

lmcdonald@aclu.org
* appearing pursuant to Local Rule
83.1(d)

E-mail: anita@southerncoalition.org

Christopher Brook (State Bar
#33838) ACLU of North Carolina
Legal Foundation
P.O. Box 28004
Raleigh, NC 27611-8004
Telephone: 919-834-3466
E-mail: cbrook@acluofnc.org

Dale Ho*
Julie A. Ebenstein*
ACLU Voting Rights Project
125 Broad Street
New York, NY 10004
(212) 549-2693
E-mail: dale.ho@aclu.org
*appearing pursuant to Local Rule 83.1(d)

Attorneys for Plaintiffs in League of Women Voters of North Carolina, et al. v. North Carolina, et al.

Gill P. Beck (State Bar # 13175)
Special Assistant United States
Attorney
OFFICE OF THE UNITED
STATES ATTORNEY
United States Courthouse
100 Otis Street
Asheville, NC 28801
Telephone: (828) 259-0645
E-mail: gill.beck@usdoj.gov

By: /s/ John A. Russ IV

T. Christian Herren, Jr.
John A. Russ IV
Catherine Meza
David G. Cooper
Spencer R. Fisher
Jenigh J. Garrett
Elizabeth Ryan
Avner Shapiro
Ernest A. McFarland
Attorneys, Voting Section
Civil Rights Division
U.S. DEPARTMENT OF JUSTICE
Room 7254-NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Telephone: (800) 253-3931
E-mail: catherine.meza@usdoj.gov

Attorneys for Plaintiffs in United States v. North Carolina, et al.

By:

/s/ Edwin M. Speas, Jr.

Marc E. Elias
John M. Devaney
Elisabeth C. Frost
700 Thirteenth St., N.W., Suite 600
Washington, D.C. 20005-3960
Telephone: (202) 654-6200
Facsimile: (202) 654-6211
E-mail: melias@perkinscoie.com
E-mail: jdevaney@perkinscoie.com
E-mail: efrost@perkinscoie.com

Edwin M. Speas, Jr. (State Bar # 4112)
John W. O'Hale (State Bar # 35895)
Caroline P. Mackie (State Bar # 41512)
P.O. Box 1801 (27602-1801)
301 Fayetteville St., Suite 1900
Raleigh, NC 27601
Telephone: (919) 783-6400
Facsimile: (919) 783-1075
E-mail: espeas@poynerspruill.com
E-mail: johale@poynerspruill.com
E-mail: cmackie@poynerspruill.com

Attorneys for Plaintiff-Intervenors in League of Women Voters of North Carolina, et al. v. North Carolina, et al.

By: /s/ Butch Bowers

Karl S. Bowers, Jr.
Bowers Law Office LLC
P.O. Box 50549
Columbia, SC 29250
Telephone: (803) 260-4124
Facsimile: (803) 250-3985
Email: butch@butchbowers.com

Robert C. Stephens
General Counsel
Office of the Governor of North Carolina
20301 Mail Service Center
Raleigh, North Carolina 27699
Telephone: (919) 814-2027
Facsimile: (919) 733-2120
Email: bob.stephens@nc.gov

Attorneys for Defendant Governor Patrick L. McCrory

By: /s/ Phillip J. Strach

Alexander Peters, Esq.
NC Department of Justice
PO Box 629
Raleigh, NC 27602
Telephone: (919) 716-6913
Facsimile: (919) 716-6763
Email: apeters@ncdoj.gov

Robert C. Stephens
General Counsel
Office of the Governor of North Carolina
20301 Mail Service Center
Raleigh, North Carolina 27699
Telephone: (919) 814-2027
Facsimile: (919) 733-2120
Email: bob.stephens@nc.gov

Thomas A. Farr, Esq.
Phillip J. Strach, Esq.
Ogletree, Deakins, Nash Smoak &
Stewart, P.C
4208 Six Forks Road
Raleigh, NC 27609
Telephone: (919) 787-9700
Facsimile: (919)783-9412
Email: thomas.farr@ogletreedeakins.com
Email: phil.strach@ogletreedeakins.com

Attorney for Defendants State of North Carolina, North Carolina State Board of Elections, Kim Westbrook Strach, Joshua B. Howard, Rhonda K. Amoroso, Joshua D. Malcolm, Paul J. Foley, and Maja Kricker

CERTIFICATE OF SERVICE OF DISCOVERY

I hereby certify that on February 27, 2015, I electronically filed the foregoing **Joint Motion to Amend Discovery Deadlines**, using the CM/ECF system in case numbers 1:13- cv-658, 1:13- cv-660, and 1:13-cv-861, which will send notification of such filing to all counsel of record.

/s/ John A. Russ IV

JOHN A. RUSS IV

U.S. Department of Justice

Civil Rights Division - Voting Section

950 Pennsylvania Avenue, N.W.

Washington, DC 20530

Phone: (800) 253-3931

Email: john.russ@usdoj.gov