

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.

[PROPOSED] ORDER

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

[PROPOSED] ORDER

Upon consideration of the State Legislators' objection to Magistrate Judge Peake's March 27, 2014 order on legislative privilege, and upon consideration of the parties' several memoranda, the Court finds that the March 27, 2014 discovery order was not clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a).

IT IS THEREFORE ORDERED that the State Legislators' Objection to the Magistrate Judge's March 27, 2014 discovery order (ECF No. 97, 13-cv-658) is DENIED, and the order (ECF No. 94, 13-cv-658) is AFFIRMED in its entirety.

IT IS FURTHER ORDERED that by April 21, 2014, the State Legislators and the Defendants shall produce communications between legislators and outside parties, including the State Board of Elections, and documents that are public records.

IT IS FURTHER ORDERED that by April 21, 2014, the parties shall file a joint report, as set out in the March 27, 2014 discovery order, presenting any narrowed remaining disputes with respect to particular categories and types of documents for further resolution by the Court.

FINALLY, IT IS ORDERED that on or before April 21, 2014, Defendants must identify legislators on whom they will rely in responding to any preliminary injunction motions, whether by affidavit, testimony, or documentary evidence they otherwise contend is subject to legislative privilege. If Defendants fail to make this required

disclosure, they will be precluded from relying on non-public legislative evidence in opposition to any preliminary injunction motion.

SO ORDERED.

Date: _____, 2014

THE HONORABLE THOMAS D. SCHROEDER
UNITED STATES DISTRICT JUDGE