

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

NORTH CAROLINA STATE CONFERENCE)
OF THE NAACP, et al.,)
)
Plaintiffs,)
)
v.) 1:13CV658
)
PATRICK LLOYD MCCRORY, in his official)
capacity as Governor of North Carolina, et al.,)
)
Defendants.)
_____)

LEAGUE OF WOMEN VOTERS OF)
NORTH CAROLINA, et al.,)
)
Plaintiffs,)
)
v.) 1:13CV660
)
THE STATE OF NORTH CAROLINA, et al.,)
)
Defendants.)
_____)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 1:13CV861
)
THE STATE OF NORTH CAROLINA, et al.,)
)
Defendants.)
_____)

ORDER

These cases are before the Court on Plaintiffs' Motion to Compel Depositions [Doc. #148 in 1:13CV658] and Plaintiffs' Motion to Expedite consideration of that Motion to Compel

[Doc. #149 in 1:13CV658]. In the Motion to Compel, Plaintiffs seek to compel the depositions of individuals who filed declarations in opposition to Plaintiffs' Motion for Preliminary Injunction. Specifically, Plaintiffs seek to compel Defendants to produce declarants Kim Westbrook Strach, Cherie Poucher, and Carolyn Justice for deposition on or before July 3, 2014, in order to allow those individuals to be deposed prior to the preliminary injunction hearing scheduled to begin July 7, 2014. Plaintiffs note that each of these individuals submitted declarations as witnesses in opposition to the Motion for Summary Judgment, but Defendants have refused to make those individuals available for deposition prior to the preliminary injunction hearing.¹ In response, Defendants contend that the requested depositions are unduly burdensome given the short time frame involved.

The Court has considered the parties' contentions and concludes that allowing the expedited depositions is appropriate to avoid undue prejudice to Plaintiffs in the presentation of evidence related to the Motion for Preliminary Injunction. The Court further concludes that the depositions requested are not unduly burdensome in the circumstances. However, to address Defendants' concerns, the depositions will be limited to two hours for each individual, and will be limited to topics covered by the respective declarations. The depositions must take place on July 1, 2014, unless all parties agree to an alternative date.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Expedite and Motion to Compel are GRANTED, and Defendants must make declarants Kim Westbrook Strach, Cherie Poucher, and Carolyn Justice available on July 1, 2014, for depositions of up to two hours each

¹ Ms. Strach was deposed as a Rule 30(b)(6) witness, but provided a declaration in her individual capacity and has not been deposed in her individual capacity.

on the topics covered by their respective declarations. The date and time limitations may be modified by agreement of all parties.

This, the 27th day of June, 2014.

/s/ Joi Elizabeth Peake
United States Magistrate Judge