

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

LEAGUE OF WOMEN VOTERS OF NORTH)	
CAROLINA, et al.,)	
)	
<i>Plaintiffs,</i>)	
)	CIVIL ACTION NO. 1:13-cv-00660
<i>vs.</i>)	
)	
THE STATE OF NORTH CAROLINA, et al.,)	
)	
<i>Defendants.</i>)	
)	
_____)	

PLAINTIFFS’ REPORT OF RULE 26(f) CONFERENCE AND DISCOVERY PLAN

Certification of Conference

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties conducted two Rule 26(f) conferences by telephone—the first on November 15, 2013, and the second on November 25, 2013. Despite diligent efforts to reach accord, the parties are unable to agree on a discovery schedule, and thus file 26(f) reports separately, pursuant to Local Rule 16.3.

A. Parties

In attendance at the November 15, 2013, teleconference were:

- For the League of Women Voters Plaintiffs: Allison Riggs of the Southern Coalition for Social Justice; Dale Ho, Julie Ebenstein, and Laughlin McDonald of the ACLU Voting Rights Project; and Chris Brook of the ACLU of North Carolina.
- For the NAACP Plaintiffs: Daniel Donovan, Uzoma Nkwonta, Winn Ellis, and Kimberly Rancour of Kirkland & Ellis; Denise Lieberman of the Advancement Project; and Irving Joyner.

- For the United States Department of Justice: Catherine Meza, John Russ, Elizabeth Ryan, and Fisher Spencer.
- For the State: Alec Peters of the Attorney General's Office and Tom Farr of Ogletree Deakins.
- For Governor McCrory: Butch Bowers of Bowers Law Office LLC.

In attendance at the November 25, 2013, teleconference were:

- For the League of Women Voters Plaintiffs: Allison Riggs of the Southern Coalition for Social Justice; Dale Ho, Julie Ebenstein, and Laughlin McDonald of the ACLU Voting Rights Project; and Chris Brook of the ACLU of North Carolina.
- For the NAACP Plaintiffs: Daniel Donovan, Uzoma Nkwonta, Winn Ellis, and Kimberly Rancour of Kirkland & Ellis; Denise Lieberman of the Advancement Project.
- For the United States Department of Justice: Catherine Meza and John Russ.
- For the State: Alec Peters of the Attorney General's Office and Tom Farr of Ogletree Deakins.
- For Governor McCrory: Butch Bowers of Bowers Law Office LLC.

B. Discussion

On November 15 and 25, the parties conferred regarding the topics set forth in Rule 26(f) and report as follows:

1. *Discovery and Trial Schedule*: The parties in these related, but non-consolidated, actions are in fundamental disagreement over the discovery and trial schedule.
 - a. The League of Women Voters and NAACP Plaintiffs assert that this case can be tried in time for relief, if awarded, to be in place before the 2014 elections.

- i. Plaintiffs inquired as to the State's position on how long the county boards of election would need to reinstate the early voting and same day registration eliminated in the challenged law. Defendants are inquiring as to this date with the State Board of Elections, but have not yet provided that information.
 - ii. The League of Women Voters Plaintiffs believe that discovery can be completed in time for an August 11, 2014 trial, which would give the county boards of elections sufficient time to reinstate early voting and same day registration for the 2014 elections, should the Court determine that those portions of HB 589 are unlawful.
 - iii. The League of Women Voters Plaintiffs are in agreement with the NAACP Plaintiffs that it is crucial for discovery to conclude in time for a trial to be held in advance of the November 2014 elections.
- b. The Department of Justice does not believe that all discovery, particularly that which may require access to federal databases, can be accomplished before the 2014 elections. The Department of Justice is open to conducting substantial discovery in early 2014 so that motions for preliminary injunctive relief can be filed and ruled upon in time for relief, if granted, to be in place for the 2014 elections. All discovery would then be completed in time for a full trial on the merits in the summer of 2015.
- c. Counsel for the State and the Governor believe that the discovery process in this litigation will take at least a year. Defendants had no concrete proposal for a discovery or trial schedule.

2. *Case Management*: The parties agreed that the Exceptional Case Management Track was generally appropriate, but the number of depositions, interrogatories, and requests for admissions would have to be slightly increased to accommodate consolidated cases. The League of Women Voters Plaintiffs believe that the discovery process can be accomplished in less than 7 months rather than the 9 months contemplated by the Exceptional Case track and with 50 depositions for Defendants, 50 depositions in total for all Plaintiffs and 25 requests for admissions per party.
3. *Consolidation*: The parties discussed consolidation of the three related actions. The parties agreed that consolidation for discovery purposes was warranted and justifiable. The parties reached no agreement in regards to formal or total consolidation. On November 26, the United States filed a motion for consolidation. On December 3, the League of Women Voters and NAACP Plaintiffs filed a joint motion for consolidation of the three cases for purposes of discovery and opposing, at this point, consolidation for purposes for trial.
4. *Electronically Stored Information (“ESI”)*: On November 19, 2013, the United States circulated a draft ESI agreement, which was discussed at the November 25 teleconference. The United States will file a final proposed ESI agreement.
5. *Protective Order/Privilege Log*: On November 19, 2013, the United States circulated a draft Protective Order agreement, which was discussed at the November 25 teleconference. The United States will file a final proposed ESI agreement.
6. *Representation of Legislators*: Plaintiffs expect to request documents and take depositions of several North Carolina state legislators over the course of discovery.

Defense counsel has not yet taken a position on whether they represent the North Carolina legislature as a body and/or individual North Carolina legislators.

Pre-Discovery Disclosures

The information required by Fed. R. Civ. P. 26(a)(1) will be exchanged by December 16, 2013.

Discovery Plan

The League of Women Voters and NAACP Plaintiffs seek to resolve this case in advance of the November 2014 elections. The League of Women Voters Plaintiffs do not object to the NAACP Plaintiffs' proposed schedule, but provide the Court with an alternative schedule for its consideration, which could accommodate the State's request for as lengthy a discovery period as possible, while also allowing for relief, if granted, to be implemented prior to the November 2014 elections.

The League of Women Voters Plaintiffs propose to the Court the following discovery plan:

1. *Discovery*: All discovery shall be commenced in time to be completed by June 27, 2014.
2. *Experts*: Retained experts under Rule 26(a)(2) will be disclosed on April 1, 2014.

Rebuttal experts will be disclosed on April 21, 2014. Reports from experts will be due on May 12, 2014.

3. *Dispositive motions*: Any summary judgment motions should be filed by July 3, 2014.

Opposition to summary judgment motions should be filed by July 11, 2014. Replies in support of summary judgment motions should be filed by July 18, 2014.

League of Women Voters Plaintiffs' Proposed Schedule:	
Date	Event/Filing
December 16, 2013	Initial Rule 26(a) disclosures
April 1, 2014	Rule 26(a)(2) expert disclosures
April 21, 2014	Rule 26(a)(2) rebuttal expert disclosures
May 12, 2014	Rule 26(a)(2) expert reports
June 27, 2014	Close of discovery
July 3, 2014	All dispositive motions
July 11, 2014	Opposition to dispositive motions
July 18, 2014	Replies in support of dispositive motions.
August 11, 2014	Proposed trial date

The discovery and trial schedule that League of Women Voters Plaintiffs request requires the parties to be ready for trial as of August 11, 2014. The proposed discovery schedule and trial date are based on (1) the experience of the parties in assembling a full and complete record in comparably complex voting rights matters, and the scheduling orders that courts have issued in such matters; and (2) the urgency to resolve this matter in time for relief, if awarded, to be in place before the November 2014 elections.

This proposed schedule provides for substantially more time for fact and expert discovery than has been ordered in similar complex election law matters brought under the Voting Rights Act. Plaintiffs' proposed schedule provides for six and a half months (193 days) of fact discovery, including nearly three months (87 days) of expert discovery, then an opportunity to file dispositive motions and prepare pre-trial papers such as proposed findings of fact and

conclusions of law. *Compare with* Ex. A, Scheduling Order, *Veasey v. Perry*, No. 2:13-cv-00193 (S.D. Tex. Nov. 22, 2013), ECF No. 86 (a declaratory judgment action under Section 2 of the Voting Rights Act (“VRA”) seeking a judicial determination on both the discriminatory purpose and effect of Texas’s similar photographic identification requirement, in which the court allotted a 162 day period between initial disclosures and the close of the discovery period and a 67 day period between expert disclosures and the close of expert discovery) *and* Ex. B, Scheduling Order, *Florida v. United States*, No. 1:11-cv-01428 (D.D.C. Nov. 3, 2011), ECF No. 61 (a declaratory judgment action under the VRA seeking judicial determination on both discriminatory purpose and effect of four voting changes in Florida, including reductions to that state’s early voting period, in which the court allotted a 113 day period between initial disclosures and the close of the discovery period and a 28 day period between expert disclosures and the close of discovery).

Comparison of League of Women Voters Plaintiffs’ Proposed Schedule to Discovery Periods in Comparable Voting Rights Litigation:			
	League of Women Voters Plaintiffs’ Proposed Schedule	<i>Veasey v. Perry</i> , No. 2:13-cv-00193 (S.D. Tex. 2013).	<i>Florida v. Holder</i> , No. 1:11-cv-01428 (D.D.C. 2011)
Time for Fact Discovery	27.5 weeks (193 days)	23 weeks (162 days)	16 weeks (113 days)
Time for Expert Discovery	12 weeks (87 days)	9.5 weeks (67 days)	4 weeks (28 days)

Although this proposed schedule provides for more time for fact and expert discovery than has been ordered in similar cases, it also accomplishes the crucial goal of achieving resolution in advance of the November 2014 elections, as courts have generally acknowledged the insufficiency of post-election relief in voting-related litigation. *See, e.g., Republican Party of N. Carolina v. Hunt*, 841 F. Supp. 722, 728 (E.D.N.C. 1994) (noting, in a challenge to an

election law, that a court would be “hard-pressed to fashion an adequate remedy” after the fact, because, *inter alia*, it would be impractical “to nullify the elections that had already taken place”), *aff’d as modified sub nom. Republican Party of N. Carolina v. N. Carolina State Bd. of Elections*, 27 F.3d 563 (4th Cir. 1994); *NAACP-Greensboro Branch v. Guilford Cnty. Bd. of Elections*, 858 F. Supp. 2d 516, 526 (M.D.N.C. 2012) (finding irreparable injury and need for preliminary relief where plaintiffs challenged the constitutionality of changes to election laws, because of the inadequacy of other remedies).

Other Items

1. The parties have been unable to reach an agreement on a discovery plan and therefore request to appear for the scheduled pre-trial conference with the Court on December 12, 2013.

Dated this 5th day of December 2013.

/s/ Allison J. Riggs

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Allison J. Riggs (State Bar # 40028)
Clare R. Barnett (State Bar #42678)
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Counsel for Plaintiffs

Certificate of Service

I hereby certify that I have this day, December 5, 2013, electronically filed the foregoing **REPORT OF RULE 26(f) CONFERENCE AND DISCOVERY PLAN** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Alexander McC. Peters
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This 5th day of December 2013.

/s/ Allison J. Riggs
Allison J. Riggs
Southern Coalition for Social Justice

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

Veasey, et al.

v.

Perry, et al.

§
§
§
§
§
§

CIVIL ACTION NO. 2:13cv193

SCHEDULING ORDER

1. **BENCH TRIAL** is set for **September 2, 2014 at 9:00 a.m.** before United States District Judge Nelva Gonzales Ramos at the United States District Courthouse, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. If the parties are prepared for trial before this date, a Joint Motion and Proposed Order indicating that the case is ready for trial and requesting an earlier date may be filed with the Court.
2. The deadline for **JOINDER OF PARTIES** without leave from the Court is **December 6, 2013**. The deadline for **AMENDMENT OF PLEADING** is **March 2, 2014**. This provision does not relieve the parties from the requirement of obtaining leave to file the pleading or add parties whenever required by the Federal Rules of Civil Procedure (e.g., FED. R. CIV. P. 15(a)(2)).
3. **PLAINTIFFS' EXPERT REPORTS** are due on **May 9, 2014**. **STATE'S EXPERT REBUTTAL REPORTS** are due on **June 6, 2014**. **PLAINTIFFS' EXPERT REPLY REPORTS** are due on **June 30, 2014**. Written reports by experts under FED. R. CIV. P. 26(a)(2)(B) are due at the time of designation of each expert. Parties are ordered to file only a list of proposed witnesses with the Court pursuant to FED. R. CIV. P. 26, but **NOT** reports or other discovery materials.
4. **FACT DISCOVERY** shall end on **May 2, 2014**. **EXPERT WITNESS DISCOVERY** shall end on **July 15, 2014**.
5. A **STATUS CONFERENCE** will be held on **February 12, 2014 at 9:00 a.m.** The Parties should be prepared to discuss discovery, any pending motions, any additional motions practice

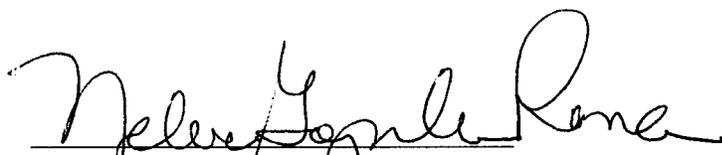
anticipated by the parties, the possibility of settlement, and mediation.

6. Except for good cause, the deadline for filing all **DISPOSITIVE AND DAUBERT MOTIONS** is on **July 22, 2014**. **RESPONSES** to Dispositive Motions are due on **August 4, 2014**. **REPLIES** to Dispositive Motions are due on **August 11, 2014**. Failure to respond timely will be considered by the Court as if the motion is unopposed, and the motion may be granted. Legal memoranda greater in length than **twenty-five (25) pages** shall **NOT** be filed without leave of Court. If deposition testimony is attached as an exhibit, it shall be submitted in the condensed or mini-script format, i.e., four pages to one page.
7. The original and one copy of the parties' **JOINT PRETRIAL ORDER** shall be filed no later than **August 7, 2014**. Plaintiff(s) will be responsible for the filing of a Joint Pretrial Order, executed by the attorney-in-charge for each party, and conforming fully with the form set out in Appendix B of the Local Rules of the Southern District of Texas. This satisfies the requirements of FED. R. CIV. P. 26 (a)(3). Plaintiff(s) shall allow all parties at least **fifteen (15) business days** for review and contribution. In the event of any failure to cooperate in signing the Joint Pretrial Order, a party may file, by the Joint Pretrial Order deadline, a motion for leave to file a Joint Pretrial Order without the signature of all counsel, showing good cause. Differences of the parties with respect to any matter relevant to a pretrial order will be set forth in the Joint Pretrial Order at the appropriate place. Willful or indifferent failure to submit a well-prepared Joint Pretrial Order in a timely fashion or to respond to its completion is cause for dismissal in the case of Plaintiff, or in the case of Defendant, is cause for default. Parties are also ordered to submit objections to deposition testimony with the Joint Pretrial Order.
8. **FINAL PRETRIAL CONFERENCE** is set for **August 21, 2014 at 9:00 a.m.** before United States District Judge Nelva Gonzales Ramos at the United States District Court, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. The attorney-in-charge for each party is required to be present.
9. All pleadings, motions, briefs, memoranda, and requests for affirmative relief will be directed to the Court **in pleading form**, not correspondence form, through the United States District Clerk in Corpus Christi, Texas:

**United States District Clerk
Corpus Christi Division
Southern District of Texas
1133 N. Shoreline Blvd.
Corpus Christi, TX 78401**

You are requested **NOT** to use the informality of letter briefs, letters citing authorities, or letters requesting continuances or other affirmative relief. Additionally, do not copy the Court on letters between the parties.

ORDERED this 22nd day of November 2013.


**NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF FLORIDA,

Plaintiff,

v.

UNITED STATES OF AMERICA, and
ERIC H. HOLDER, JR., in his official
capacity as Attorney General of the United
States,

Defendants,

KENNETH SULLIVAN, *et al.*,

Defendant-Intervenors.

Civil Action No. 11-01428
(CKK) (MG) (ESH)

SCHEDULING AND PROCEDURES ORDER

(November 3, 2011)

In order to administer this civil action in a manner fair to the litigants and consistent with the parties' interest in completing this litigation in the shortest possible time and at the least possible cost, it is, this 3rd day of November, 2011, hereby

ORDERED that the parties are directed to comply with each of the directives set forth in this Order. The Court will hold the parties responsible for following these directives; failure to conform to this Order's directives **may, when appropriate, result in the imposition of sanctions.**

1. **COMMUNICATIONS WITH THE COURT.** In the event the parties need to contact the Court telephonically, they shall call the Chambers of Judge Colleen Kollar-Kotelly. However, the parties should endeavor to keep communications with Chambers to a minimum. *Ex parte* communications on matters other than scheduling are **strictly prohibited**; if the parties need to contact Chambers, it must be done **jointly** pursuant to a conference call arranged by the parties.

2. **MOTIONS FOR EXTENSIONS OF TIME.** The Court will not entertain or honor stipulations for extensions of time; parties must file a motion in accordance with the following instructions:

- (a) Motions for extensions of time **must be filed at least four (4) business days prior to the first affected deadline.**
- (b) Motions for extensions of time are strongly discouraged; they will be granted

only in truly exceptional or compelling circumstances and parties should not expect the Court to grant extensions.

- (c) All motions for extensions of time **must include the following or they will not be considered:**
- (I) The specific grounds for the extension;
 - (ii) The number of previous extensions, if any, granted to each party;
 - (iii) A statement of the impact that the requested extension would have on all other previously set deadlines;
 - (iv) A proposed schedule for any other affected deadlines, to be proposed only after consulting with opposing counsel; and
 - (v) A statement of opposing counsel's position vis-à-vis the motion in accordance with Local Civil Rule 7(m).

3. **DISCOVERY DISPUTES.** The parties are referred to Local Civil Rule 26.2 and are expected to fully comply with its directives. Moreover, counsel are required to confer in good faith in an effort to resolve any discovery dispute before bringing it to the Court's attention. **The parties shall not file a discovery motion without prior consultation with opposing counsel.** If, in what should be the unusual case, the parties are unable to resolve their discovery dispute, counsel shall contact the Chambers of Judge Colleen Kollar-Kotelly jointly in order to arrange for a telephonic conference with the Court **prior to the filing of any written discovery motion.**

4. **DEPOSITIONS.** Each of the three groups of parties—Plaintiff, Defendants, and Defendant-Intervenors—shall be permitted to take **a maximum of fifteen (15) depositions.** Counsel must adhere to the following guidelines when taking any deposition:

- (a) Counsel for the deponent shall refrain from gratuitous comments and from directing the deponent as to times, dates, documents, testimony, and the like;
- (b) Counsel shall refrain from cuing the deponent by objecting in any manner other than stating an objection for the record followed by a word or two describing the legal basis for the objection;
- (c) Counsel shall refrain from directing the deponent not to answer any question except for reasons which conform to Federal Rule of Civil Procedure 30(c)(2);
- (d) Counsel shall refrain from engaging in dialogue on the record during the course of the deposition;

- (e) If counsel for any party or person given notice of the deposition believes that these conditions are not being adhered to, that counsel may call for suspension of the deposition and then immediately apply to the Court for a ruling and remedy. When appropriate, the Court will impose sanctions;
- (f) All counsel are to conduct themselves in a civil, polite, and professional manner. The Court will not countenance incivility or other behavior during the deposition demonstrating that the examination is being conducted in bad faith or to simply annoy, embarrass, or oppress the deponent; and
- (g) In accordance with Federal Rule of Civil Procedure 30(d)(1), no deposition may last more than seven hours (exclusive of breaks), except by leave of the Court or stipulation of the parties.

5. **MOTIONS GENERALLY.** Parties must comply with the following instructions when briefing any motion:

- (a) Memoranda of points and authorities filed in support of or in opposition to any motion may not, without leave of the Court, exceed forty-five (45) pages, and reply memoranda may not exceed twenty-five (25) pages, with margins set at one inch and with all text double-spaced (excepting footnotes) and in twelve-point Times New Roman (including footnotes).
- (b) A party may not file a sur-reply without first requesting leave of the Court.
- (c) Where a party fails to file a memorandum of points and authorities in opposition to a given motion, the Court **may treat the motion as conceded**. See LCvR 7(b). Similarly, where a party fails to respond to arguments in opposition papers, the Court may treat those specific arguments as conceded. See *Hopkins v. Women's Div., Gen. Bd. of Global Ministries*, 284 F. Supp. 2d 15, 25 (D.D.C. 2003), *aff'd*, 98 F. App'x (D.C. Cir. 2004).
- (d) **Exhibits shall be properly edited** to exclude irrelevant material and to direct the Court's attention to the pertinent portions thereof.
- (e) Each submission shall be accompanied by a table of cases and other authorities cited therein.

6. **MOTIONS FOR SUMMARY JUDGMENT.** Parties must comply with the following instructions when briefing motions for summary judgment and the Court may strike papers not in conformity therewith:

- (a) The Court **strictly adheres to the dictates of Local Civil Rule 7(h)**, which requires that each party submitting a motion for summary judgment attach a statement of material facts for which that party contends there is no genuine

dispute, with specific citations to those portions of the record upon which the party relies in fashioning the statement. The party opposing the motion must, in turn, submit a statement enumerating all material facts which the party contends are genuinely disputed and thus require trial. *See* LCvR 7(h)(1). The parties are strongly encouraged to carefully review *Jackson v. Finnegan, Henderson, Farabow, Garrett & Dunner*, 101 F.3d 145 (D.C. Cir. 1996), on the subject of Local Civil Rule 7(h).

- (b) The moving party's statement of material facts shall be a short and concise statement, **in numbered paragraphs**, of all material facts as to which the moving party claims there is no genuine dispute. The statement must contain **only one factual assertion in each numbered paragraph**.
- (c) The party responding to a statement of material facts must respond to each paragraph with a **correspondingly numbered paragraph**, indicating whether that paragraph is admitted or denied. If a paragraph is admitted only in part, the party must specifically identify which parts are admitted and which parts are denied.
- (d) The Court may assume that facts identified by the moving party in its statement of material facts are **admitted**, unless such facts are controverted in the statement filed in opposition to the motion. *See* LCvR 7(h)(1).
- (e) The responding party must include any information relevant to its response in its correspondingly numbered paragraph, with specific citations to the record. However, if the responding party has additional facts that are not directly relevant to its response, it must identify such facts in consecutively numbered paragraphs **at the end** of its responsive statement of facts. **If additional factual allegations are made, the opponent must file a responsive statement of its own.**
- (f) The parties must furnish **precise citations** to the portions of the record on which they rely; the Court need not consider materials not specifically identified. *See* FED. R. CIV. P. 56(c)(3).

7. **MOTIONS FOR RECONSIDERATION.** Motions for reconsideration of prior rulings are strongly discouraged. Such motions shall be filed only when the requirements of Federal Rules of Civil Procedure 54(b), 59(e), and/or 60(b) are met. If such a motion is filed, it **shall not exceed ten (10) pages in length**. Moreover, the Court will not entertain: (a) motions that simply reassert arguments previously raised and rejected by the Court; or (b) arguments that should have been previously raised, but are being raised for the first time. *See Nat'l Trust v. Dep't of State*, 834 F. Supp. 453, 455 (D.D.C. 1995). Motions not in compliance with these instructions may be stricken.

8. **COURTESY COPIES.** The parties shall deliver three (3) courtesy copies, one (1) addressed to each of the three Judges on the panel, for any submission that is over twenty-five (25) pages in length or that includes more than one (1) exhibit to the Court Security Officer at the loading dock located at Third and C Streets (not the Clerk’s Office or Chambers). Courtesy copies shall be appropriately bound and tabbed for ease of reference.

9. **SETTLEMENT.** The parties are expected to evaluate their respective cases for purposes of settlement. The Court encourages the use of alternative dispute resolution—*e.g.*, mediation or neutral case evaluation. The use of these methods is available at any time, as is a settlement conference before a magistrate judge. If counsel are interested in pursuing these options, they may contact the Chambers of Judge Colleen Kollar-Kotelly at any time. If the case settles in whole or in part, counsel shall **promptly** advise the Court.

10. **APPEARANCES AT HEARINGS.** Principal trial counsel must appear at all hearings unless excused by the Court in advance.

It is **FURTHER ORDERED** that all discovery and briefing shall, pending further order of the Court, be confined to addressing Plaintiff’s request for judicial preclearance under Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973c.

It is **FURTHER ORDERED** that the parties shall adhere to the following schedule:

November 2, 2011	<ul style="list-style-type: none"> The discovery period shall commence.
November 8, 2011	<ul style="list-style-type: none"> The parties shall serve their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(A), denoting with an asterisk those individuals that are more likely than not to provide testimony for use in connection with motions for summary judgment, proposed findings of fact, or an evidentiary hearing.
November 15, 2011	<ul style="list-style-type: none"> The parties shall serve document requests and interrogatories. Each of the three groups of parties—Plaintiff, Defendants, and Defendant-Intervenors—shall be limited to a maximum of twenty-five (25) document requests and twenty-five (25) interrogatories.
December 1, 2011	<ul style="list-style-type: none"> If amendment is unopposed, the parties shall file any amended pleadings. If amendment is opposed, the parties shall file any motions to amend.
December 5, 2011	<ul style="list-style-type: none"> Plaintiff shall produce databases relevant for purposes of analyzing the voting changes at issue, as identified by the representative for Defendant-Intervenors during the Scheduling Conference held on November 2, 2011.

December 16, 2011	<ul style="list-style-type: none"> The parties shall serve their responses to document requests and interrogatories, including, where appropriate, privilege logs consistent with the requirements of Federal Rule of Civil Procedure 26(b)(5).
January 27, 2012	<ul style="list-style-type: none"> The parties shall serve requests for admission. Each of the three groups of parties—Plaintiff, Defendants, and Defendant-Intervenors—shall be limited to a maximum of twenty-five (25) requests for admission.
February 1, 2012	<ul style="list-style-type: none"> The proponents of any expert testimony shall serve their disclosures pursuant to Federal Rule of Civil Procedure 26(a)(2)(A), identifying the topics about which the experts are expected to testify.
February 8, 2012	<ul style="list-style-type: none"> The parties shall serve rebuttal expert disclosures pursuant to Federal Rule of Civil Procedure 26(a)(2)(A), identifying the topics about which the experts are expected to testify.
February 10, 2012	<ul style="list-style-type: none"> The parties shall serve their responses to requests for admission.
February 17, 2012	<ul style="list-style-type: none"> The parties shall serve all expert reports pursuant to Federal Rule of Civil Procedure 26(a)(2)(B) & (C), including rebuttal expert reports.
February 29, 2012	<ul style="list-style-type: none"> All discovery shall be completed and all discovery-related motions shall be filed (motions to compel, motions to quash, motions for sanctions under Federal Rule of Civil Procedure 37, etc.). The parties shall file all jointly stipulated facts. The parties shall file a Joint Status Report advising the Court of the following: (1) the form(s) that they anticipate using in briefing the merits of this action (<i>i.e.</i>, motions for summary judgment and/or proposed findings of facts and conclusions of law); (2) the feasibility of the briefing schedule set forth below; (3) the likelihood that an evidentiary hearing will be required; and (4) such other matters that the parties believe may assist the Court in overseeing further proceedings.
March 14, 2012	<ul style="list-style-type: none"> The parties shall file motions for summary judgment, including cross-motions.
March 21, 2012	<ul style="list-style-type: none"> The parties shall file proposed findings of fact and conclusions of law.

