

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.

**PLAINTIFFS' RULE 26(f)
REPORT FOR THE PHOTO
IDENTIFICATION CLAIM**

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. 1:13-cv-861

1. Following the October 23, 2015 hearing before this Court, the parties met and conferred regarding the schedule for discovery and trial of the Plaintiffs' challenge to the photo identification provisions.

2. The parties have reached substantial agreement on a number of dates as well as the scope of discovery.

3. **Amended Pleadings.** In accordance with the Court's October 23 order, the Plaintiffs intend to submit supplemental pleadings by November 6, 2015. Defendants' responses to those pleadings shall be due no later than November 20, 2015.

4. **Discovery Plan.** The parties have agreed to the following discovery plan:

(a) ***Parameters for discovery.*** The parties shall be permitted the following discovery:

(i) ten requests for production per side;

(ii) ten interrogatories per side;

(iii) ten requests for admission per side;

(iv) five depositions per side (not counting any experts).

(b) ***Deadline to serve discovery.*** The parties shall serve any discovery requests as soon as possible and in any event no later than November 23, 2015.

(c) ***Deadline to respond to discovery.*** Any documents to be produced in response to discovery requests must be produced within the time provided by the Federal Rules of Civil Procedure. In any event, all discovery must be fully responded to by December 18, 2015. Any depositions must be completed by January 11, 2016.

(d) **Expert discovery.** The parties shall be entitled to serve any updated reports of experts under Rule 26(a)(2), which shall be served no later than December 4, 2015. Any rebuttal or supplemental expert reports must be served no later than December 30, 2015 and must be limited to the topics addressed in the updated reports. Any expert who serves an updated expert report or rebuttal report may be deposed by the opposing side. All expert depositions must take place by January 11, 2016.

5. **Motions in Limine and Daubert Motions.** Any motions in limine or expert motions must be filed no later than January 14, 2016. Opposing briefs to any such motions must be filed by January 21, 2016. No reply briefs in support of such motions will be accepted.

6. **Exhibit Lists and Deposition Designations.** Exhibit lists and deposition designations must be filed no later than January 15, 2016. Objections to exhibit lists and deposition designations (as well as any counter-designations) shall be filed by January 22, 2016.

7. **Pre-Trial Briefs.** The parties shall submit pre-trial briefs no later than January 19, 2016. No opposition briefs shall be allowed.

8. **Trial Date and Length.** Trial shall commence on January 25, 2016. The trial will be no more than four trial days.

9. **Post-Trial Findings of Fact and Conclusions of Law.** The parties anticipate that they will file proposed findings of fact and conclusions of law following trial at a date to be determined by the Court.

10. **Preliminary Injunction.** Plaintiffs will inform the Defendants and the Court no later than November 13, 2015 if they intend to file a preliminary injunction motion and will file such motion no later than December 8, 2015.

11. Defendants consent to the proposed schedule but reserve the right to propose an alternate schedule, without a trial in January, if Plaintiffs elect to move for a preliminary injunction.

Dated: November 2, 2015

Respectfully submitted,

/s/ Daniel T. Donovan

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CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2015, I electronically filed the foregoing **Plaintiffs' Rule 26(f) Report for the Photo Identification Claim**, 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, including those counsel listed below.

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