

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARCUS CASTER, et al.,)
)
Plaintiffs,)
)
v.)
)
JOHN H. MERRILL, in his)
official capacity as Alabama)
Secretary of State,)
)
Defendant.)

Case No.: 2:21-cv-1536-AMM

ORDER

A Rule 16 conference is **SET** for **TUESDAY, NOVEMBER 23, 2021, at 10:00 a.m., Central Standard Time (CST)**. The conference will be held virtually and livestreamed to Courtroom 4B of the Hugo L. Black United States Courthouse for public access. Before the conference, the court will email the parties a link to participate.

Due to the serious time exigencies surrounding the fair and timely resolution of this case and other similar cases pending in this court, including the provisions of Alabama’s election law that set various deadlines applicable to the next Congressional election to be conducted using the electoral maps that are the subject of this action, the parties are **ORDERED** to meet and confer – both with each other and with the parties in *Milligan v. Merrill* (No. 2:21-cv-1530-AMM) and *Singleton*

v. *Merrill* (No. 2:21-cv-1291-AMM) – as soon as practicable. The parties are further **ORDERED** to file by **10:00 a.m. CST** on **MONDAY, NOVEMBER 22, 2021**, a status report(s) that explains their positions with respect to the following issues:

1. Whether *Milligan* and/or *Caster* may and should be consolidated with *Singleton* for the purpose of conducting all preliminary injunction proceedings, including discovery and hearings in connection with any request(s) in those cases for preliminary injunctive relief. When the parties evaluate their positions as to this issue, they should assume that each set of plaintiffs would be afforded the opportunity to file its own briefs and present its own case (including its own evidentiary submissions), during consolidated preliminary injunction proceedings, if such proceedings occur.
2. Whether the schedule previously entered by this Court in *Singleton* for the conduct of preliminary injunction proceedings would be suitable for consolidated preliminary injunction proceedings, or whether adjustments to that scheduling order may be necessary. If any party believes that adjustments to that scheduling order may be necessary, they shall state in the status report the exact adjustments requested.
3. How many days the parties expect would be necessary for the conduct of a fair and expeditious preliminary injunction hearing. The parties should

be mindful that a separate three-judge court, including an overlapping district judge, likely will hear and rule on a request for preliminary injunctive relief in *Thomas v. Merrill* (Case No. 2:21-cv-1531-AMM) in the same general time period.

DONE and **ORDERED** this 18th day of November, 2021.



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE

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