

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE GEORGIA SENATE BILL 202

CIVIL ACTION NO.
1:21-mi-55555-JPB

SCHEDULING ORDER

After reviewing the parties' Joint Preliminary Report and Discovery Plan ("Plan") (ECF No. 50) and considering the discussion with the parties at the Status Conference held on January 31, 2022 ("Conference"), the Court orders that the time limits and provisions for adding parties, amending the pleadings, filing motions, conducting discovery and discussing settlement are as set out in the Federal Rules of Civil Procedure and the Local Rules of this Court, except as follows:

EVENT	DEADLINE
Beginning of discovery period	February 1, 2022
Initial disclosures	February 7, 2022
Motion for preliminary injunction related to the primary election	February 28, 2022

Motion for preliminary injunction related to the general election	June 3, 2022
Expert reports	September 16, 2022
Expert rebuttal reports	October 7, 2022
Expert sur-rebuttal reports	October 21, 2022
Close of discovery, except for expert depositions and supplemental discovery related to the November 8, 2022 election and December 6, 2022 runoff election	November 21, 2022
Depositions of experts who do not plan to submit a supplemental report	November and December 2022
Supplemental expert reports (limited to the November 2022 election and any December 2022 runoff)	January 6, 2023
Expert supplemental rebuttal reports	January 20, 2023
Depositions of experts who submit supplemental reports	January 30 – February 10, 2023
Close of supplemental discovery	February 10, 2023
Motions for summary judgment	March 27, 2023
Opposition to motions for summary judgment	May 11, 2023
Reply in support of motions for summary judgment	June 12, 2023

Depositions

Consolidated Plaintiffs¹ may take a total of sixty fact witness depositions plus one deposition of each expert witness. All defendants (State Defendants, Intervenor-Defendants and County Defendants) may take a total of sixty fact witness depositions plus one deposition of each expert witness. If the defendants cannot agree on the fact witnesses to be deposed, State Defendants and Intervenor-Defendants collectively may take a total of fifty fact witness depositions, and County Defendants collectively may take a total of ten fact witness depositions.

Interrogatories

Each Plaintiff Group may serve twenty-five interrogatories on State Defendants and twenty-five interrogatories on Intervenor-Defendants; (2) Consolidated Plaintiffs may serve twenty-five interrogatories on each County Defendant; (3) State Defendants may serve twenty-five interrogatories on each Plaintiff Group; (4) Intervenor-Defendants may serve twenty-five interrogatories on each Plaintiff Group; and (5) County Defendants may serve twenty-five interrogatories on each Plaintiff Group.

¹ Defined terms are as set forth in the parties' Plan.

Other Items

The Court notes the following additional matters taken up at the Conference:

- The setting of deadlines for motions for preliminary injunction does not waive any objections State Defendants may wish to raise under *Purcell v. Gonzalez*, 549 U.S. 1 (2006).
- As permitted under applicable law, County Defendants are not required to attend all depositions taken in this case.
- The Court encourages the parties to bear in mind Rule 1's admonition of a "just, speedy, and inexpensive determination of every action" but finds that Consolidated Plaintiffs may request from any defendant documents already in Consolidated Plaintiffs' possession, which were obtained through other means, including the Georgia Open Records Act.
- The parties may file a statement for the Court's consideration regarding issues that may affect the possibility of settlement between any Plaintiff Group and the County Defendants.

SO ORDERED this 1st day of February, 2022.

A handwritten signature in blue ink, appearing to read "J. P. Boulee", written over a horizontal line.

J. P. BOULEE

United States District Judge