

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

**BOBBY SINGLETON, *et al.*,
Plaintiffs,**

v.

**WES ALLEN, in his official capacity as
Alabama Secretary of State,
Defendant.**

Case No. 2:21-cv-01291-AMM

THREE-JUDGE COURT

**EVAN MILLIGAN, *et al.*,
Plaintiffs,**

v.

**WES ALLEN, in his official capacity as
Alabama Secretary of State,
Defendant.**

Case No. 2:21-cv-01530-AMM

THREE-JUDGE COURT

**MARCUS CASTER, *et al.*,
Plaintiffs,**

v.

**WES ALLEN, in his official capacity as
Alabama Secretary of State,
Defendant.**

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

Before MARCUS, Circuit Judge, MANASCO and MOORER, District Judges.

BY THE COURT:

ORDER

These congressional redistricting cases are again before the Court for an Order setting discovery and pretrial deadlines. On January 11, 2024 the Court set these

cases for trial on February 3, 2025. *See, e.g., Singleton* Doc. 225. And the Court directed the parties to meet and confer and jointly propose a scheduling order for discovery and all pretrial deadlines. *Id.* After the parties filed a Report of their Planning Meeting, the Court held a scheduling conference on February 21, 2024.

The Court has considered the parties' positions with respect to the appropriate schedule for discovery and pretrial proceedings, the serious time exigencies surrounding the fair and timely resolution of these cases, including the provisions of Alabama's election law that set deadlines applicable to the 2026 congressional elections (Alabama Code Section 17-13-5(a), which effectively establishes a deadline of January 30, 2026 for candidates to qualify with major political parties to participate in the 2026 primary election for the United States House of Representatives and Senate, and Alabama Code Section 17-13-3(a), which establishes the date of that primary election as May 26, 2026), and the extraordinary and time-sensitive demands placed on the parties and the Court in connection with these proceedings. On the basis of the reports and the conference, the Court **ORDERS** the following deadlines:

1. By agreement of the parties, any amended complaints were due on or before **FEBRUARY 2, 2024**.
2. Plaintiffs' expert reports are due on or before **MAY 17, 2024**.
3. Defendants' expert reports are due on or before **JUNE 28, 2024**.

4. Plaintiffs' supplemental expert reports are due on or before **JULY 26, 2024**.
5. Supplementation of disclosures and discovery under Federal Rule of Civil Procedure 26(e) is due within a reasonable period of time after discovery of such information (which ordinarily will be within twenty-one days of counsel becoming aware of the need to supplement), but in any event all such supplementation shall be provided no later than **AUGUST 2, 2024**.
6. All discovery shall be commenced in time to be completed on or before **SEPTEMBER 6, 2024**.
7. The parties shall file any dispositive motions on or before **SEPTEMBER 20, 2024**.
8. The parties shall file any opposition to dispositive motions on or before **OCTOBER 11, 2024**.
9. The parties shall file any replies in support of dispositive motions on or before **OCTOBER 25, 2024**.
10. The parties shall file witness lists, designations of deposition testimony for trial, and exhibit lists under Rule 26(a)(3) on or before **NOVEMBER 22, 2024**.
11. The parties shall file any motions in limine and *Daubert* motions on or before **DECEMBER 6, 2024**.

12. The parties shall file any opposition to motions in limine and *Daubert* motions on or before **DECEMBER 20, 2024**.

13. The parties shall file any replies in support of motions in limine and *Daubert* motions on or before **JANUARY 10, 2025**.

14. The Court will by separate order set a final pretrial conference to occur within 30 days of **FEBRUARY 3, 2025**.

Extensions for the deadlines set to complete all discovery and file dispositive motions will not be granted absent extraordinary cause.

The parties are urged to conduct discovery forthwith and not to wait until the deadlines near to propound requests. Any discovery disputes that require the Court's attention must be called to the Court's attention in time to be resolved before the cutoff passes.

Prior to filing any discovery motion, counsel for the moving party shall confer in person or by videoconference with opposing counsel to attempt to resolve their disagreements regarding discovery requests. If the parties are unable to resolve their dispute in that manner, then the party filing the motion shall describe all efforts taken to resolve the disputed matter and shall certify in the motion that the parties conferred pursuant to this Order and were unable to reach an agreement. Failure to include a statement of the parties' attempt to resolve the matter without the Court's intervention may result in a denial of the motion.

If any party files a discovery motion, the opposing party shall file a response within fourteen days of the date the motion is filed. Any reply brief is due within seven days from the date the response is filed. On motion or of its own accord, the Court may adjust this schedule as appropriate for good cause.

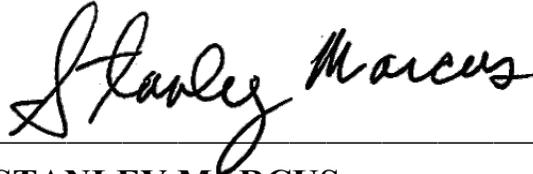
The Court will be guided by the Federal Rules of Civil Procedure regarding the number of depositions allowed by each party. The Court will not impose an arbitrary cap on that number.

Each of the parties shall have the right to develop a full record in advance of trial. Accordingly, the Court is disposed to allow depositions of the plaintiffs and their experts and depositions of defendants and their experts, including those who may have testified in connection with the earlier preliminary injunction proceedings conducted by the Court. However, the Court discourages repetitive questioning and encourages any party to file an expeditious motion if the questioning is vexatious or repetitive.

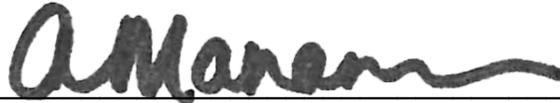
The Court **SETS** these cases for a status conference at 8 a.m. Central Time on **April 10, 2024**. The conference will occur by Zoom and the information will be provided to the parties at a later date.

Based on events subsequent to their filing and the agreement of the parties during the February 21, 2024 status conference, *Singleton* Docs. 42, 57, and 147; *Milligan* Docs. 69 and 223; and *Caster* Doc. 201 are **DENIED as MOOT**.

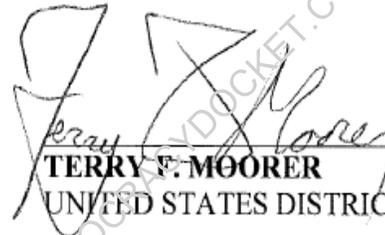
DONE and **ORDERED** this 22nd day of February, 2024.



STANLEY MARCUS
UNITED STATES CIRCUIT JUDGE



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE



TERRY F. MOORER
UNITED STATES DISTRICT JUDGE

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