

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

VOTE.ORG, et al.,

Plaintiffs,

v.

Case No. 4:23-cv-111-AW-MAF

**CORD BYRD, in his official capacity as
SECRETARY OF STATE OF
FLORIDA, et al.,**

Defendants,

and

**REPUBLICAN NATIONAL
COMMITTEE and REPUBLICAN
PARTY OF PASCO COUNTY,**

Intervenor-Defendants.

SCHEDULING ORDER

According to their supplemental Rule 26(f) report (ECF No. 99), the parties disagree about an appropriate schedule. Plaintiffs favor a somewhat shorter schedule, and Defendants favor a somewhat more extended one. The parties describe the discovery each side seeks, but it is unclear precisely how much time is necessary to complete it. The following schedule, though, should provide sufficient time for all parties while avoiding unnecessary delay. If the schedule provides insufficient, any party may move to enlarge it, but only with a detailed showing that (i) that party used the existing period diligently and (ii) that an extension is truly necessary.

The court now ORDERS the following:

1. The bench trial is set for April 1, 2024, with five days reserved. Any party with a conflict during that period must file a notice within 14 days of entry of this order.

2. The deadline to complete discovery is November 10, 2023.

3. The deadline for initial disclosures is 14 days from the date of this order.

4. The deadline to move for leave to amend pleadings or add parties is July 28, 2023.

5. The deadline for Plaintiffs' expert disclosures is July 31, 2023. The deadline for Defendants' expert disclosures is September 15, 2023. The deadline for Plaintiffs' rebuttal expert disclosures is October 16, 2023. Any party disclosing an expert must make that expert available for deposition within 30 days of the disclosure.

6. The deadline for dispositive motions is December 1, 2023. The deadline for responses is 21 days after a dispositive motion is filed. Replies are due 14 days thereafter.

7. Parties must follow these procedures for all summary judgment motions:

a. Parties must first file a notice listing exhibits to be filed in support of (or in opposition to) summary judgment. The exhibits

themselves must be filed as attachments to the notice. (Exhibits that cannot be filed on CM/ECF (*e.g.*, video files) may be submitted to the clerk.)

- b. The filing party must then file the summary judgment motion (or response) citing to the ECF number for each referenced exhibit, along with the pertinent page number.
- c. Any deposition transcript filed must be filed in text searchable form.

8. The parties' Rule 26(f) report (ECF No. 99) will control the matters it addresses, except to the extent of any conflict with this order.

9. Each party must supplement its Rule 26 disclosures promptly after a supplement becomes necessary. *See* Fed. R. Civ. P. 26(e). Each party must supplement in time to ensure the opposing parties are not prejudiced by any failure to supplement immediately after the information was (or should have been) discovered.

10. Discovery materials and Rule 26(a)(1) and (2) disclosures must be served but must not be filed, except as required by Local Rule 26.1(A).

11. Motions to compel discovery may be filed no later than 30 days before the close of discovery. (The court will entertain a motion after this deadline only if the movant shows reasonable diligence during the discovery period and the dispute in question arose during the last 30 days of discovery.)

12. Any motion to compel discovery must include a certificate of conference, detailing efforts to resolve the issue without court involvement. No

motion to compel discovery (or response to any such motion) may exceed seven pages without leave of court.

13. Deadlines will be determined based on this order, other applicable orders, and governing rules. Text in the clerk's docket entries are for the clerk's internal use and are not controlling.

14. A separate order for pretrial conference (to be issued later) will set a deadline for a pretrial attorney conference. That deadline will also be the deadline for Rule 26(a)(3) disclosures. The deadline to object under Rule 26(a)(3) is seven days later.

15. Any motion in limine or other pretrial motion must be filed no later than 15 days before the pretrial conference. A response to any motion in limine or other pretrial motion must be filed within the deadline set out in Local Rule 7.1(E), but must also be filed no later than 5 days before the pretrial conference.

SO ORDERED on June 20, 2023.

s/ Allen Winsor
United States District Judge