

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

DEMOCRACY NORTH CAROLINA,)
et al.,)
)
Plaintiffs,)
) Case No. 1:23CV878
v.)
)
ALAN HIRSCH, et al.,)
)
Defendants.)

ORDER

This matter came before the Court on May 30, 2024, for a scheduling hearing. At an earlier hearing with the District Judge, the Legislative Defendants' Motion to Stay [Doc. #76] and the Plaintiffs' Motion for Extension of Time to Complete Discovery [Doc. #80] were granted in part and denied in part. As a result of that hearing, the request to stay all proceedings was denied, but the joint request to extend the trial date and discovery deadlines was granted, with the direction that limited discovery could proceed, but with the bulk of remaining discovery and trial extended into 2025. As a result of that determination, the case will be removed from the September 2024 trial calendar. In addition, as part of scheduling hearing, the undersigned provided some guidance and allowed the parties to meet and confer to discuss the pretrial schedule, and the parties agreed to a pretrial schedule as discussed on the record. The Court now enters this Order to memorialize the pretrial schedule adopted at the hearing.

1) Discovery Schedule:

- a) The following specific discovery can proceed during 2024: the depositions of the legislators (Representative Mills and Senator Daniels) as previously agreed by the parties; the third-party discovery as to Cleta Mitchell and North Carolina Election Integrity Team; and the one outstanding document production that was pending and discussed during the hearing on May 30, 2024.
- b) Fact discovery beyond that set out above will resume on January 1, 2025. The State Board Defendants anticipate gathering data prior to January 1, 2025 to the extent reasonably possible, so that their information can be provided as soon as possible after January 1, 2025.
- c) Experts:
 - i. The parties will serve simultaneous Rule 26(a)(2) expert reports and disclosures by January 29, 2025.
 - ii. The deadline for responsive expert reports is February 28, 2025.
- d) The close of all discovery, including expert discovery, is March 18, 2025.

2) Motions for Summary Judgment: The deadline for filing motions for summary judgment is April 1, 2025. The deadline for responses to any motion for summary judgment is April 21, 2025, and the deadline for any reply is April 30, 2025.

3) Trial Date: The trial date will be during the late summer of 2025, to be specifically set by the District Judge.

IT IS THEREFORE ORDERED that the trial in this case will be continued to the late summer of 2025 as discussed during the hearings, and will be specifically set by the District

Judge, and the Parties shall proceed with discovery as set out above, with only limited discovery until January 1, 2025, and with a deadline of March 18, 2025 for the close of all discovery, and with dispositive motions due April 1, 2025, responses due April 21, 2025, and replies due April 30, 2025.

This, the 11th day of June 2024.

/s/ Joi Elizabeth Peake
United States Magistrate Judge

RETRIEVED FROM DEMOCRACYDOCKET.COM