

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Public Interest Legal Foundation, Inc.,

C/A No. 3:24-cv-1276-JFA

Plaintiff,

v.

Howard M. Knapp, in his official capacity as
Executive Director of the South Carolina
Election Commission,

SCHEDULING ORDER

Defendants.

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this District, the Court hereby establishes the following schedule for this case.¹ This Scheduling Order is entered to administer the trial of this case in a manner consistent with the ends of justice, in the shortest possible time, and at the least possible cost to litigants.

This formal Scheduling Order allows for a generous time period within which to complete discovery. Therefore, requests to extend the discovery and trial deadlines will be granted only in exceptional situations. Also, any request to extend a deadline that may impact the trial date must be accompanied by a Client Consent Form, a copy of which is attached hereto.

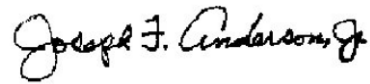
1. **Stipulations:** The parties are ordered to file joint stipulations of fact for use in the anticipated summary judgment motion no later than **May 10, 2024**. The parties are also ordered to file a joint stipulation of dismissal pursuant to Rule 41(a)(1)(A)(ii) in the related case (3:24-cv-1687) no later than **May 10, 2024**.
2. **Dispositive Motions:** Plaintiff shall file a motion for summary judgment by **June 14, 2024**.
 - a. Defendant's response in opposition shall be filed by **July 12, 2024**.
 - b. Plaintiff's Reply brief shall be filed by **July 26, 2024**.
 - c. Defendant is permitted to submit a sur-reply which shall be filed by **August 9, 2024**.

¹ The Court has noted a discernible and disturbing trend wherein counsel, sometimes by agreement, disregard deadlines set forth in the Court's scheduling order. The Court takes this opportunity to advise counsel that a scheduling order "is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded by counsel without peril." *Forstmann v. Culp*, 114 F.R.D. 83, 85 (M.D.N.C. 1987) (quoting *Gestetner Corp. v. Case Equipment Co.*, 108 F.R.D. 138, 141 (D.Me. 1985)).

3. Oral Argument: Oral argument on Plaintiff's motion for summary judgment will be heard on **August 26, 2024 at 2:00**.

IT IS SO ORDERED.

May 6, 2024
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge

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SPECIAL NOTICE TO COUNSEL WITH CASES BEFORE JUDGE JOSEPH F. ANDERSON, JR.

Please carefully review the following instructions relating to problems that frequently arise regarding scheduling orders and related litigation management issues.

Judge Anderson's standard preferences for courtesy copies, proposed orders, pretrial briefs, and the like are listed on the court's website (www.scd.uscourts.gov) under District Judges, "Judge Anderson's Filing Preferences."

COMMUNICATIONS WITH CHAMBERS

All communications with the court must be in writing and filed in the CM/ECF docket. It is never appropriate for counsel to call Judge Anderson on a case-related matter, and it is rarely appropriate for attorneys to copy the court on correspondence between counsel.

MODIFICATION OF THE SCHEDULING ORDER

Requests for modification of the formal Scheduling Order must be made in a written motion filed in CM/ECF and not by email, fax or telephone. The deadlines in the formal Scheduling Order issued by this court are established with careful consideration to the nature of the case and the amount of time necessary for discovery. For this reason, modifications should seldom be necessary. If, however, it becomes necessary to seek a modification, such motion must be accompanied by a signed Client Consent Form (Attachment B). In addition, the motion for an extension must be made in compliance with Local Civil Rule 6.01 addressing the following:

- (1) Date of the current deadline;
- (2) Whether the deadline has been previously extended;
- (3) The number of additional days requested and the proposed new deadline;
- (4) Whether the extension would affect other deadlines;
- (5) The reasons for the requested extension;
- (6) The extent to which the parties have diligently pursued discovery during the originally specified period. This showing requires a specification of the discovery (including deposition by witness name and date) which has been completed and the depositions including witness name) and other discovery which remain to be completed.
- (7) Whether opposing counsel consents to or opposes the extension.

Do not wait until the last day before the deadline to request a modification or extension. Do not call chambers to determine if the extension has been granted. Check the docket through CM/ECF. Absent extraordinary circumstances, requests should be made sufficiently in advance to allow the court time to rule on the motion before the deadline passes. See Local Civil Rule 6.01 and 6.02.

ATTACHMENT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

)	C/A No.:
)	
vs.)	CLIENT CONSENT TO EXTEND
)	SCHEDULING ORDER DEADLINES
)	
)	
_____)	

Use the following form for a first request:

_____ I, the undersigned litigant, a party to the above captioned action, hereby give my consent to my attorney's request that the deadlines in the formal Scheduling Order be extended. I understand that the revision of the formal Scheduling Order will require a delay in the trial of my case.

Use the following form for second or subsequent requests:

_____ I, the undersigned litigant, a party to the above captioned action, hereby give my consent to my attorney's request that the deadlines in the formal Scheduling Order be extended. I understand that the revision of the formal Scheduling Order will require a delay in the trial of my case. I further understand that this Scheduling Order has been modified (and the trial date postponed) at the request of my attorney on _____ previous occasions.

Individual Litigant:

Signature

Print Name

Corporate Litigant:

Signature of Officer

Name of Corporation

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