

**U.S. District Court
North Carolina Middle District (NCMD)
CIVIL DOCKET FOR CASE #: 1:16-cv-00844-TDS-JEP**

BERGER, et al. v. UNITED STATES DEPARTMENT OF JUSTICE, et al

Assigned to: JUDGE THOMAS D. SCHROEDER
Referred to: MAG/JUDGE JOI ELIZABETH PEAKE

Related Cases: [1:16-cv-00236-TDS-JEP](#)

[1:16-cv-00425-TDS-JEP](#)

[1:16-cv-00845-TDS-JEP](#)

Case in other court: North Carolina Eastern, 5:16-cv-00240

Cause: 28:1331 Fed. Question

Plaintiff

PHIL BERGER

in his official capacity as President pro tempore of the North Carolina Senate

represented by **STUART K. DUNCAN**
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Plaintiff

TIM MOORE

in his official capacity as Speaker of the North Carolina House of Representatives

represented by **STUART K. DUNCAN**
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V.

Witness

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V.

Defendant

**UNITED STATES DEPARTMENT
OF JUSTICE**

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Defendant

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MICHAEL JAMES
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Defendant

VANITA GUPTA

*in her official capacity as Principal
Deputy Assistant Attorney General*

represented by **EMILY B. NESTLER**
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ATTORNEY TO BE NOTICED

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Interested Party

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Amicus

**PROPOSED AMICI CURIAE –
TEXAS, ARKANSAS, ARIZONA,
WEST VIRGINIA, ALABAMA,
WISCONSIN, GEORGIA,
NEBRASKA, LOUISIANA, SOUTH
CAROLINA, COMMONWEALTH
OF KENTUCKY, BY AND
THROUGH GOVERNOR
MATTHEW G. BEVIN, U**

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| Date Filed | # | Docket Text |
|------------|----------|---|
| 05/09/2016 | <u>1</u> | COMPLAINT against All Defendants (Filing fee \$ 400, receipt number 25RGSD63) filed by Phil Berger, Tim Moore. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Financial Disclosure) (Potter, Robert) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/09/2016) |
| 05/09/2016 | <u>2</u> | Notice of Appearance filed by Robert D. Potter, Jr. on behalf of All Plaintiffs. (Potter, Robert) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/09/2016) |
| 05/10/2016 | <u>3</u> | Notice of Appearance filed by Stuart K. Duncan on behalf of Phil Berger, Tim Moore. (Duncan, Stuart) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/10/2016) |
| 05/10/2016 | <u>4</u> | Summonses Issued as to Vanita Gupta, Loretta E. Lynch, and United States Department of Justice. <i>*NOTICE: Counsel shall print the attached summonses and serve with other case opening documents in accordance with Fed.R.Civ.P. 4.*</i> (Tripp, S.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/10/2016) |
| 05/11/2016 | | Notice to Counsel regarding <u>3</u> Notice of Appearance filed by Stuart K. Duncan – The court recommends flattened pdf fillable forms, as stated in Section B(3) of the court's CM/ECF Administrative Policies and Procedures Manual. To prevent future docketing issues, it is requested that counsel flatten the document and refile it accordingly. (Baker, C.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/11/2016) |
| 05/11/2016 | | NOTICE OF DEFICIENCY regarding Financial Disclosure Statement attached to Complaint – This document must be filed separately, utilizing the <i>Financial Disclosure Statement</i> filing event located in the "Other Documents" category. When refileing, counsel is reminded that Local Civil Rule 5.1 requires that all documents submitted for filing be uploaded in a text searchable format. (Baker, C.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/11/2016) |
| 05/11/2016 | <u>5</u> | Notice of Appearance filed by Stuart K. Duncan on behalf of Phil Berger, Tim Moore. (Duncan, Stuart) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/11/2016) |
| 05/11/2016 | <u>6</u> | Financial Disclosure Statement by Phil Berger, Tim Moore. (Potter, Robert) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/11/2016) |
| 05/23/2016 | <u>7</u> | MOTION to Consolidate Cases filed by Phil Berger, Tim Moore. (Attachments: # <u>1</u> Text of Proposed Order) (Duncan, Stuart) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/23/2016) |
| 05/23/2016 | <u>8</u> | Memorandum in Support regarding <u>7</u> MOTION to Consolidate Cases filed by Phil Berger, Tim Moore. (Duncan, Stuart) [Transferred from North Carolina Eastern on |

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| | | 6/29/2016.] (Entered: 05/23/2016) |
| 05/25/2016 | <u>9</u> | Notice of Appearance filed by Brennan Tyler Brooks on behalf of Patrick L. McCrory. (Brooks, Brennan) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>10</u> | Notice of Appearance filed by William W. Stewart, Jr on behalf of Patrick L. McCrory. (Stewart, William) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>11</u> | Notice of Appearance filed by Frank J. Gordon on behalf of Patrick L. McCrory. (Gordon, Frank) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>12</u> | Notice of Appearance for non–district counsel by Karl S. Bowers, Jr. on behalf of Patrick L. McCrory, Frank Perry. (Bowers, Karl) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>13</u> | RESPONSE to Motion regarding <u>7</u> MOTION to Consolidate Cases filed by Patrick L. McCrory, Frank Perry. (Stewart, William) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>14</u> | Financial Disclosure Statement by Patrick L. McCrory. (Stewart, William) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>15</u> | Financial Disclosure Statement by Frank Perry. (Bowers, Karl) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | | Notice to Counsel regarding <u>14</u> Financial Disclosure Statement and <u>15</u> Financial Disclosure Statement – Counsel is reminded of the requirement to affix a certificate of service to all filings pursuant to Fed. R. Civ. P. 5(d) and Section F(3) of the court's CM/ECF Electronic Policies and Procedures Manual. (Baker, C.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>16</u> | Certificate of Service filed by Patrick L. McCrory regarding <u>14</u> Financial Disclosure Statement. (Stewart, William) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 05/25/2016 | <u>17</u> | Certificate of Service filed by Frank Perry regarding <u>15</u> Financial Disclosure Statement. (Bowers, Karl) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 05/25/2016) |
| 06/09/2016 | <u>18</u> | Notice of Appearance filed by Gene C. Schaerr on behalf of Phil Berger, Tim Moore. (Schaerr, Gene) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/09/2016) |
| 06/15/2016 | | **** Set Hearing – Telephonic Rule 16 Status Conference and Motion Hearing as to <u>7</u> MOTION to Consolidate Cases set for 6/21/2016 at 10:00 AM before District Judge Louise Wood Flanagan. *Counsel will be provided dial–in instructions in advance of the telephonic hearing* (Tripp, S.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/15/2016) |
| 06/17/2016 | <u>19</u> | Affidavit of Service for Complaint filed by Phil Berger, Tim Moore served on Vanita Gupta on June 13, 2016., Summons Returned Executed by Certified Mail filed by Phil Berger, Tim Moore as to Vanita Gupta served on 6/13/2016, answer due 8/12/2016., SUMMONS Returned Executed by Phil Berger; Tim Moore. Vanita Gupta served on 6/13/2016, answer due 8/12/2016. (Duncan, Stuart) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/17/2016) |
| 06/17/2016 | <u>20</u> | Affidavit of Service for Complaint filed by Phil Berger, Tim Moore served on Loretta E. Lynch on June 13, 2016., SUMMONS Returned Executed by Phil Berger, Tim Moore. Loretta E. Lynch served on 6/13/2016, answer due 7/4/2016., Summons Returned Executed by Certified Mail filed by Phil Berger; Tim Moore as to Loretta E. Lynch served on 6/13/2016, answer due 7/4/2016. (Duncan, Stuart) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/17/2016) |
| 06/17/2016 | <u>21</u> | Affidavit of Service for Complaint filed by Phil Berger, Tim Moore served on United States Department of Justice on June 13, 2014., SUMMONS Returned Executed by Phil Berger, Tim Moore. United States Department of Justice served on 6/13/2016, |

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| | | answer due 7/4/2016., Summons Returned Executed by Certified Mail filed by Phil Berger; Tim Moore as to United States Department of Justice served on 6/13/2016, answer due 7/4/2016. (Duncan, Stuart) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/17/2016) |
| 06/20/2016 | <u>22</u> | Notice of Appearance filed by Emily B. Nestler on behalf of All Defendants. (Nestler, Emily) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/20/2016) |
| 06/20/2016 | | NOTICE OF DEFICIENCY regarding <u>22</u> Notice of Appearance – Counsel failed to attach a certificate of service pursuant to Fed. R. Civ. P. 5(d) and Section F(3) of the Court's CM/ECF Electronic Policies and Procedures Manual. Counsel should file a separately captioned certificate of service using the appropriate event located under the <i>Civil Events – Service of Process</i> category. (Tripp, S.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/20/2016) |
| 06/20/2016 | <u>23</u> | Certificate of Service filed by Vanita Gupta, Loretta E. Lynch, United States Department of Justice regarding <u>22</u> Notice of Appearance of <i>Emily B. Nestler</i> . (Nestler, Emily) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/20/2016) |
| 06/21/2016 | <u>24</u> | Notice of Appearance filed by Robert C. Stephens on behalf of Patrick L. McCrory. (Stephens, Robert) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/21/2016) |
| 06/21/2016 | <u>25</u> | Minute Entry for proceedings held before District Judge Louise Wood Flanagan in New Bern: Telephonic Rule 16 Status Conference and Motion Hearing as to <u>7</u> MOTION to Consolidate Cases held on 6/21/2016. Counsel present for all parties. Court hears oral argument as to motion and procedural posture of the case. Matters taken under advisement. Written order to follow. (Court Reporter – David Collier) (Baker, C.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/21/2016) |
| 06/21/2016 | <u>26</u> | Notice of Appearance filed by Michael James on behalf of All Defendants. (James, Michael) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/21/2016) |
| 06/29/2016 | <u>27</u> | ORDER denying <u>7</u> Motion to Consolidate Cases – On its own initiative, having heard from the parties further at hearing and conference June 21, 2016, the court TRANSFERS case number 5:16–CV–240–FL and case number 5:16–CV–245–FL to the Middle District. Signed by District Judge Louise Wood Flanagan on 6/29/2016. (Baker, C.) [Transferred from North Carolina Eastern on 6/29/2016.] (Entered: 06/29/2016) |
| 06/29/2016 | <u>28</u> | Case transferred in from District of North Carolina Eastern; Case Number 5:16–cv–00240. Original file certified copy of transfer order and docket sheet received. (Entered: 06/29/2016) |
| 06/30/2016 | | Case ASSIGNED to JUDGE THOMAS D. SCHROEDER and MAGISTRATE JUDGE JOI ELIZABETH PEAKE. Set flag for Magistrate Judge Joi Elizabeth Peake. (Coyne, Michelle) (Entered: 06/30/2016) |
| 07/12/2016 | | Telephone Conference set for 7/13/2016 at 1:00 PM before JUDGE THOMAS D. SCHROEDER. Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845(Engle, Anita) (Entered: 07/12/2016) |
| 07/13/2016 | | Minute Entry for proceedings held before JUDGE THOMAS D. SCHROEDER: Telephone Conference held on 7/13/2016. Participating in the call: Attorney Smith for Carcaño Plaintiffs, Attorney Stoughton for Plaintiff United States, Attorney Campbell for Plaintiff/Proposed Intervenor North Carolinians for Privacy, Attorney Duncan for Legislative Plaintiffs/Intervenors, Attorney Berwick for Defendant United States, Attorney Bowers for State Defendants, Attorney Francisco for UNC Defendants, Attorney Boizelle for Amici 68 Companies, Attorney Sigmon for Proposed Amici School Administrators, and Proposed Pro se Intervenor Steven–Glenn: Johnson. Written Order forthcoming. (Court Reporter Briana Nesbit.) Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 07/13/2016) |

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| 07/14/2016 | <u>29</u> | ORDER signed by JUDGE THOMAS D. SCHROEDER on 07/14/2016; Parties in case 1:16CV236 shall appear on Monday, August 1, at 10:00 a.m. in Courtroom 1 of the Hiram H. Ward Federal Building, Winston-Salem, North Carolina, for a hearing on the Carcano Plaintiffs' motion for preliminary injunction (Doc. <u>21</u> in 1:16CV236) and UNC defendants' motion to stay proceedings (Doc. <u>38</u> in 1:16CV236). Counsel for United States may participate in the hearing as set out. Trial on merits, etc. in United States' action to be consolidated with hearing on United States' motion for preliminary injunction (Doc. 73 in 1:16cv425). Trial in all four HB2 cases will take place in late October or early November, 2016 depending on pretrial schedule to be determined by the Magistrate Judge as set out. Parties shall file a short joint notice identifying any agreements reached and explaining their respective positions no later than 5:00 p.m. on July 22, 2016. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Garland, Leah) Docket entry modified on 7/19/2016. (Powell, Gloria). (Entered: 07/14/2016) |
| 07/14/2016 | | Set Deadlines: Joint Notice due by 7/22/2016 no later than 5:00 PM. (See 86 Order in 16CV236, 93 Order in 16CV425, <u>29</u> Order in 16CV844, and 37 Order in 16CV845) Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Garland, Leah) (Entered: 07/14/2016) |
| 07/15/2016 | <u>30</u> | ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 07/15/2016; that this matter is set for an Initial Pretrial Conference on July 22, 2016, at 1:00 p.m. in Courtroom 3 of the United States Courthouse in Winston-Salem, North Carolina. FURTHER ORDERED that the parties must file their Rule 26(f) Report(s), whether jointly or individually, by July 20, 2016, as noted herein. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Garland, Leah) (Entered: 07/15/2016) |
| 07/15/2016 | | Set Initial Pretrial Conference: Initial Pretrial Conference set for 7/22/2016 at 1:00 PM in Winston-Salem Courtroom #3. (See 88 Order in 16CV126; 94 Order in 16CV425; <u>30</u> Order in 16CV844; <u>38</u> Order in 16CV845) Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Garland, Leah) (Entered: 07/15/2016) |
| 07/15/2016 | | Set Rule 26(f) Report Deadline: Rule 26(f) Report (jointly or individually) due by 7/20/2016. (See 88 Order in 16CV126; 94 Order in 16CV425; <u>30</u> Order in 16CV844; <u>38</u> Order in 16CV845) Associated Cases: 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Garland, Leah) (Entered: 07/15/2016) |
| 07/19/2016 | <u>31</u> | Transcript of Telephonic status conference held on 7/13/2016, before Judge Thomas D. Schroeder. Court Reporter Briana Nesbit, Telephone number (336)734-2514. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER. Redaction Request due 8/12/2016. Redacted Transcript Deadline set for 8/22/2016. Release of Transcript Restriction set for 10/20/2016. Associated Cases: 1:16-cv-00845-TDS-JEP, 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP(Nesbit, Briana) (Entered: 07/19/2016) |
| 07/22/2016 | | Minute Entry for proceedings held before MAG/JUDGE JOI ELIZABETH PEAKE: Pretrial Scheduling Conference held on 7/22/2016 in WS-3. Present at the conference were: Attorney Wilkins for Carcaño Plaintiffs, Attorney Stoughton for Plaintiff United States, Attorney Dalton for Plaintiff/Proposed Intervenor North Carolinians for Privacy, Attorney Duncan for Legislative Plaintiffs/Intervenors, Attorney Gardner for Defendant United States, Attorney Bowers for State Defendants, and Attorney |

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| | | Francisco for UNC Defendants. The Court sets Telephone Status Conferences for 8/19/2016, 9/2/2016, 9/16/2016 and 9/30/2016 at 10:00 AM before Judge Peake. Joint Status of Issues to be Resolved to be filed by the close of business the Wednesday before each scheduled Telephone Status Conference. If no Status Conference is necessary, Parties are to notify Case Manager. In light of Scheduling Conference, Defendant McCrory's Motion for Leave to Conduct Expedited Discovery (Doc. 52 in 1:16CV236) is moot and Motion to Intervene filed by North Carolinians for Privacy (Doc. 58 in 1:16CV425) is withdrawn. Written Order forthcoming.(Court Reporter Briana Nesbit.) Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 07/22/2016) |
| 07/22/2016 | | Set Hearing: Telephone Status Conference set for 8/19/2016 at 10:00 AM before MAG/JUDGE JOI ELIZABETH PEAKE. Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 07/22/2016) |
| 07/22/2016 | | Set Hearing: Telephone Status Conference set for 9/2/2016 at 10:00 AM before MAG/JUDGE JOI ELIZABETH PEAKE. Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 07/22/2016) |
| 07/22/2016 | | Set Hearing: Telephone Status Conference set for 9/16/2016 at 10:00 AM before MAG/JUDGE JOI ELIZABETH PEAKE. Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 07/22/2016) |
| 07/22/2016 | | Set Hearing: Telephone Status Conference set for 9/30/2016 at 10:00 AM before MAG/JUDGE JOI ELIZABETH PEAKE. Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 07/22/2016) |
| 07/25/2016 | <u>32</u> | ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 07/25/2016; that the Court adopts the Joint Rule 26(f) Report and the discovery schedule set forth above. FURTHER ORDERED that this matter is set for telephonic conferences at 10:00 am on August 19, 2016, September 2, 2016, September 16, 2016, and September 30, 2016. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Garland, Leah) (Entered: 07/25/2016) |
| 07/28/2016 | <u>33</u> | NOTICE of Voluntary Dismissal of case by Plaintiffs PHIL BERGER, TIM MOORE (DUNCAN, STUART) (Entered: 07/28/2016) |
| 07/28/2016 | <u>34</u> | ORDER signed by MAG/JUDGE JOI ELIZABETH PEAKE on 7/28/2016, that the Court adopts the briefing schedule set out in the Joint Notice (Doc. # 112) in 1:16CV425, but any issues that the parties wish to raise in these cases should still be addressed in the dispositive motions and trial briefs on the schedule set out in the July 25, 2016 Scheduling Order, so that all of the relevant issues can be addressed in November after the period of expedited discovery. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(Daniel, J) (Entered: 07/28/2016) |
| 07/29/2016 | <u>35</u> | Transcript of Pretrial Scheduling Conference held on 7/22/2016, before Judge Joi E. Peake. Court Reporter Briana L. Nesbit, Telephone number (336) 734-2514. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER. Redaction Request due 8/22/2016. Redacted Transcript Deadline set for 9/1/2016. Release of Transcript Restriction set for 10/31/2016. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(Nesbit, Briana) (Entered: 07/29/2016) |
| 08/04/2016 | <u>36</u> | Transcript of Preliminary Injunction held on 8/1/2016, before Judge Thomas D. Schroeder. Court Reporter Briana L. Nesbit, Telephone number (336) 734-2514. |

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| | | <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</p> <p>Redaction Request due 8/29/2016. Redacted Transcript Deadline set for 9/9/2016. Release of Transcript Restriction set for 11/7/2016. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(Nesbit, Briana) (Entered: 08/04/2016)</p> |
| 08/31/2016 | <u>38</u> | <p>***FILED IN ERROR*** MOTION for Leave to File <i>Brief as Amici Curiae</i> by Proposed Amici Curiae – TEXAS, ARKANSAS, ARIZONA, WEST VIRGINIA, ALABAMA, WISCONSIN, GEORGIA, NEBRASKA, LOUISIANA, SOUTH CAROLINA, COMMONWEALTH OF KENTUCKY, by and through Governor Matthew G. Bevin, U. (Attachments: # <u>1</u> Supplement, # <u>2</u> Text of Proposed Order) Associated Cases: 1:16-cv-00425-TDS-JEP, 1:16-cv-00236-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(NIMOCKS, DAVID) Modified on 9/2/2016 to reflect filed in error and terminated public access. (Daniel, J) (Entered: 08/31/2016)</p> |
| 09/06/2016 | <u>40</u> | <p>***FILED IN ERROR*** NOTICE of Appearance by attorney LEAH D. MCDOWELL on behalf of Plaintiffs PHIL BERGER, TIM MOORE Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP(MCDOWELL, LEAH) Modified on 9/8/2016 to reflect filed in error and terminated public access. (Daniel, J) (Entered: 09/06/2016)</p> |
| 09/09/2016 | <u>42</u> | <p>Transcript of Proceedings held on 09/02/2016, before Judge Joi E. Peake. Court Reporter Briana L. Nesbit, Telephone number 336-734-2514. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</p> <p>Redaction Request due 10/3/2016. Redacted Transcript Deadline set for 10/14/2016. Release of Transcript Restriction set for 12/12/2016. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(Nesbit, Briana) (Entered: 09/09/2016)</p> |
| 10/07/2016 | <u>43</u> | <p>Transcript of Status Conference held on 09/16/2016, before Magistrate Judge Joi E. Peake. Court Reporter Briana L. Nesbit, Telephone number 336-734-2514. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</p> <p>Redaction Request due 10/31/2016. Redacted Transcript Deadline set for 11/10/2016. Release of Transcript Restriction set for 1/9/2017. Associated Cases:</p> |

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| | | 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(Nesbit, Briana) (Entered: 10/07/2016) |
| 10/14/2016 | <u>44</u> | <p>Transcript of Status Conference held on 09/30/2016, before Judge Joi E. Peake. Court Reporter Briana L. Nesbit, Telephone number 336-734-2514. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</p> <p>Redaction Request due 11/7/2016. Redacted Transcript Deadline set for 11/17/2016. Release of Transcript Restriction set for 1/17/2017. Associated Cases: 1:16-cv-00236-TDS-JEP, 1:16-cv-00425-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP (Nesbit, Briana) (Entered: 10/14/2016)</p> |
| 10/18/2016 | <u>45</u> | <p>***FILED IN ERROR*** NOTICE of Appearance by attorney SONYA PFEIFFER on behalf of Witnesses A. N., A. T., Alaina Kupep. Associated Cases: 1:16-cv-00425-TDS-JEP, 1:16-cv-00236-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(PFEIFFER, SONYA) Modified on 12/16/2016 to reflect filed in error - see 12/16/2016 TEXT Order. (Daniel, J) (Entered: 10/18/2016)</p> |
| 10/18/2016 | <u>46</u> | <p>***FILED IN ERROR*** MOTION of Non-Party Witnesses to Join United States' Motion to Partially Quash and Modify Defendants' Subpoenas Duces Tecum and for a Protective Order by A. N., Alaina Kupec, A. T.. Responses due by 11/14/2016 Associated Cases: 1:16-cv-00425-TDS-JEP, 1:16-cv-00236-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(PFEIFFER, SONYA) Modified on 12/16/2016 to reflect filed in error and terminated motion per 12/16/2016 TEXT Order. (Daniel, J) (Entered: 10/18/2016)</p> |
| 10/24/2016 | <u>47</u> | <p>***FILED IN ERROR*** MOTION to Adopt (204 in 1:16-cv-00425-TDS-JEP, 204 in 1:16-cv-00425-TDS-JEP) MOTION to Quash <i>and Modify Defendants Subpoenas Duces Tecum</i> MOTION for Protective Order by Stephanie Paige Dula. Responses due by 11/17/2016 Associated Cases: 1:16-cv-00425-TDS-JEP, 1:16-cv-00236-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(SUSSMAN, JACOB) Modified on 12/16/2016 to reflect filed in error and terminated motion per 12/16/2016 TEXT Order. (Daniel, J) (Entered: 10/24/2016)</p> |
| 11/15/2016 | <u>48</u> | <p>Transcript of the Telephonic Status Conference held on 11/14/2016, before Judge Joi E. Peake. Court Reporter Briana L. Nesbit, Telephone number 336-734-2514. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>NOTICE RE: REDACTION OF TRANSCRIPTS: The parties have 5 business days to file a Notice of Intent to Request Redaction and 21 calendar days to file a Redaction Request. If no notice is filed, this transcript will be made electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the court reporter before the 90 day deadline. After that date it may be obtained through PACER.</p> <p>Redaction Request due 12/9/2016. Redacted Transcript Deadline set for 12/19/2016. Release of Transcript Restriction set for 2/16/2017. Associated Cases: 1:16-cv-00425-TDS-JEP, 1:16-cv-00236-TDS-JEP, 1:16-cv-00844-TDS-JEP, 1:16-cv-00845-TDS-JEP(Nesbit, Briana) (Entered: 11/15/2016)</p> |
| 12/16/2016 | | <p>TEXT ORDER by JUDGE THOMAS D. SCHROEDER on 12/16/2016. On July 25, 2016, the Court consolidated cases 1:16CV236, 1:16CV425, 1:16CV844 and 1:16CV845 for discovery purposes only. Subsequent to this consolidation, Plaintiffs voluntarily dismissed case 1:16CV844 on July 28, 2016 (Doc. 33) and 1:16CV845 on</p> |

August 31, 2016 (Doc. 63). However, parties continue to file documents in these closed cases. Therefore, parties are directed that any future filings must be filed in the appropriate case to which it relates and parties should refrain from electing the option to "spread" the docket entry to any unrelated or closed cases. IT IS SO ORDERED. Associated Cases: 1:16cv236, 1:16cv425, 1:16cv844, 1:16cv845 (Engle, Anita) (Entered: 12/16/2016)