

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

OBAMA FOR AMERICA, *et al.*,

Plaintiffs,

vs.

Civil

Action 2:12-cv-636

Judge

Economus

Magistrate

Judge King

JON HUSTED, *et al.*,

Defendants.

PRELIMINARY PRETRIAL ORDER

A preliminary pretrial conference was held on February 21, 2013. All parties, except the intervenors, were represented.

Plaintiffs seek injunctive relief under 42 U.S.C. § 1983, claiming that recent amendments to O.R.C. § 3509.03 are violative of the Equal Protection Clause of the Fourteenth Amendment to the extent that certain Ohio voters are prevented from casting in-person early ballots during the three days prior to an election.

With the grant of preliminary injunctive relief, plaintiffs now seek permanent injunctive relief.

There is no jury demand.

The parties agree that the Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 1343, that the Court has personal jurisdiction over the parties and that venue is proper.

The parties shall make their Rule 26(a)(1) disclosures no later than March 31, 2013.

Motions or stipulations for leave to amend the pleadings may be filed, if at all, by March 31, 2013.

The parties do not contemplate issues involving discovery of electronically stored information or privilege.

The reports of primary experts must be produced by October 31, 2013; the reports of rebuttal experts must be produced by November 30, 2013. If the expert is specially retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(B), unless otherwise agreed to by the parties. If the expert is not specially retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(C), unless otherwise agreed to by the parties.

All discovery must be completed by December 31, 2013. The parties are advised that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response by that date.

Motions for summary judgment may be filed no later than January 31, 2014.

This case will be available for final pretrial conference in May 2014, or as soon thereafter as the Court's calendar permits.

This case will not be referred to a Settlement Week.

Plaintiffs will provide to defense counsel, by March 31, 2013 and quarterly thereafter, a statement of attorney fees (*i.e.*, simply hours and hourly rates) and expenses incurred to date.

If any date set herein falls on a weekend or legal holiday, the date of the next business day will control.

s/Norah McCann King
Norah M^cCann King
United States Magistrate Judge

February 21, 2013