# IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

TERRY PETTEWAY, THE HONORABLE DERRECK ROSE, MICHAEL MONTEZ, SONNY JAMES and PENNY POPE,	<pre> § § § § § § Civil Action No. 3:22-cv-57</pre>
Plaintiffs,	
v.	<pre> § [Lead Consolidated Case] § §</pre>
GALVESTON, TEXAS, and HONORABLE MARK HENRY, in his official capacity as Galveston County Judge,	<pre> § [Lead Consolidated Case] § § § § § § § § § § § § §</pre>
Defendants.	\{\} \{\}
UNITED STATES OF AMERICA,	§ §
Plaintiff,	§
V.	<pre> § § Civil Action No. 3:22-cv-93</pre>
GALVESTON, TEXAS, GALVESTON COUNTY COMMISSIONERS COURT, and HONORABLE MARK HENRY, in his official capacity as Galveston County Judge,  Defendants.	\$ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\
Dickinson Bay Area Branch NAACP, GALVESTON BRANCH NAACP, MAINLAND BRANCH NAACP, GALVESTON LULAC COUNCIL 151, EDNA COURVILLE, JOE A.	§ § § §
COMPIAN, and LEON PHILLIPS,	§ Civil Action No. 3:22-cv-117

Plaintiffs, \$

v. \$

GALVESTON, TEXAS, \$

HONORABLE MARK HENRY, in \$

his official capacity as Galveston \$

County Judge, and DWIGHT D. \$

SULLIVAN, in his official capacity as \$

Galveston County Clerk \$

Defendants. \$

# CONSENT MOTION FOR LEAVE TO TAKE CERTAIN DEPOSITIONS OUT OF TIME

Plaintiffs Terry Petteway, Penny Pope, and Derreck Rose ("Petteway Plaintiffs") respectfully request that this Court grant leave for the Petteway Plaintiffs to take the depositions of Professor John Alford, Thomas Bryan, and Dalton Oldham, Jr. on a date to occur after the close of discovery on April 21, 2023.

There is good cause to grant this request. Due to scheduling conflicts, Defendants' expert Professor Alford is unavailable to sit for a deposition until April 27, 2023. Additionally, the documents at issue in Plaintiffs' Motions to Compel Discovery (Doc. 106 and 107) are relevant evidence to inquire about in the depositions of Mr. Bryan and Mr. Oldham. The parties therefore require time to analyze any decision issued by this Court, and confer with respect to the documents at issue before conducting the depositions of Mr. Bryan and Mr. Oldham. Petteway Plaintiffs have conferred with all parties, who consent to this request.

For the foregoing reasons, Petteway Plaintiffs respectfully request that this Court grant the parties leave to conduct the depositions of Professor Alford, Mr. Bryan, and Mr. Oldham on a date past the close of discovery on April 21, 2023.

Respectfully submitted this 14th day of April, 2023.

### /s/ Valencia Richardson

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### **CERTIFICATE OF CONFERENCE**

I certify that on April 13 and 14, 2023, counsel for Petteway Plaintiffs conferred with counsel for all Parties, who indicated that they consented to this Motion.

## **CERTIFICATE OF SERVICE**

I certify that on April 14, 2023, the foregoing document was filed electronically and served on all parties of record via CM/ECF.

/s/Valencia Richardson Valencia Richardson

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GALVESTON, TEXAS, and HONORABLE MARK HENRY, in his official capacity as Galveston County Judge,	<pre> § [Lead Consolidated Case] § § § § § § § § § § § § §</pre>
Defendants.	\{\} \{\}
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Plaintiffs,	§
	§
V.	§
	§
GALVESTON, TEXAS,	§
HONORABLE MARK HENRY, in	§
his official capacity as Galveston	§
County Judge, and DWIGHT D.	§
SULLIVAN, in his official capacity as	§
Galveston County Clerk	§
·	§
Defendants.	§
•	§

# [PROPOSED] ORDER GRANTING LEAVE TO TAKE CERTAIN DEPOSITIONS OUT OF TIME

Upon consideration of the Parties' Consent Motion for Leave to Take Certain Depositions Out of Time and finding it just and appropriate to be granted, the Court GRANTS the Motion.

Accordingly, the Court **ORDERS** that the Parties may conduct the depositions of Dalton Oldham, Thomas Bryan, and John Alford on a date after the close of discovery in this matter on April 21, 2023.

SIGNED this	day of	, 2023

## JEFFREY VINCENT BROWN UNITED STATES DISTRICT JUDGE