

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF LOUISIANA**

DR. DOROTHY NAIRNE, JARRETT  
LOFTON, REV. CLEE EARNEST LOWE,  
DR. ALICE WASHINGTON, STEVEN  
HARRIS, ALEXIS CALHOUN, BLACK  
VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, and THE  
LOUISIANA STATE CONFERENCE OF  
THE NAACP,

*Plaintiffs,*

Civil Action No. 3:22-cv-00178  
SDD-SDJ

v.

R. KYLE ARDOIN, in his official capacity  
as Secretary of State of Louisiana,

*Defendant.*

**PLAINTIFFS' NOTICE OF PROPOSED PRE-TRIAL SCHEDULE**

Plaintiffs, Dr. Dorothy Nairne, Jarrett Lofton, Rev. Clee Earnest Lowe, Dr. Alice Washington, Steven Harris, Alexis Calhoun, Black Voters Matter Capacity Building Institute, and the Louisiana State Conference of the NAACP, by and through undersigned counsel, respectfully submit their proposed discovery deadlines in the above-captioned action in advance of the status conference scheduled before Hon. Scott D. Johnson on June 29, 2023 at 3:00 p.m. CST.

As indicated in Defendants' corresponding submission, ECF No. 99, the parties met and conferred on a proposed pre-trial schedule in the above-captioned matter. Plaintiffs acknowledge that, while the parties met and conferred in good faith and were able to narrow their differences on many discovery deadlines, the parties were not able to reach a full agreement on certain deadlines (namely, the deadlines related to Defendants' expert reports and Plaintiffs' rebuttal expert reports). Plaintiffs also acknowledge that the parties were unable to reach agreement on the handling and use of data from upcoming elections in Louisiana scheduled for October and November 2023 in this case, which will not be available until *after* the agreed upon deadlines for fact discovery, September 1, 2023, and expert discovery, September 29, 2023, have passed.

Accordingly, Plaintiffs respectfully submit the chart attached as Exhibit A setting forth the parties' respective proposals, along with the deadlines in place before the Court stayed these proceedings on August 30, 2022, ECF No. 79, the time that remained for the parties to satisfy their respective discovery obligations prior to the Court's stay, and the time Plaintiffs' proposed deadlines would give the parties to satisfy those same discovery obligations.

Plaintiffs are prepared to discuss these proposals and issues with the Court during the status conference, but respectfully request that the Court enter the dates proposed by Plaintiffs under "Plaintiffs' Proposal" as set forth in Exhibit A.

Date: June 29, 2023

Sarah Brannon\*

Respectfully submitted,

/s/ John Adcock

Megan C. Keenan\*\*  
American Civil Liberties Union  
Foundation  
915 15th St. NW  
Washington, DC 20005  
sbrannon@aclu.org  
mkeenanaclu.org

Sophia Lin Lakin\*  
Dayton Campbell-Harris\*\*  
Luis Manuel Rico Román\*\*  
American Civil Liberties Union  
Foundation  
125 Broad Street, 18th Floor  
New York, NY 10004  
slakin@aclu.org  
dcampbell-harris@aclu.org  
lroman@aclu.org

T. Alora Thomas-Lundborg  
Election Law Clinic  
Harvard Law School  
6 Everett Street, Ste. 4105  
Cambridge, MA 02138  
tthomaslundborg@law.harvard.edu

Nora Ahmed (N.Y. Bar. No. 5092374)  
ACLU Foundation of Louisiana  
1340 Poydras St., Suite 2160  
New Orleans, LA 70112  
NAhmed@laaclu.org

Michael de Leeuw\*  
Amanda Giglio\*  
Cozen O'Connor  
3 WTC, 175 Greenwich St.,  
55th Floor  
New York, NY 10007  
MdeLeeuw@cozen.com  
AGiglio@cozen.com

John Adcock (La. Bar No. 30372)  
Adcock Law LLC  
Louisiana Bar No. 30372  
3110 Canal Street  
New Orleans, LA 70119  
jnadcock@gmail.com

Ron Wilson (La. Bar No. 13575)  
701 Poydras Street, Suite 4100  
New Orleans, LA 70139  
Tel: (504) 525-4361  
Fax: (504) 525-4380  
cabral2@aol.com

Leah Aden\*  
Stuart Naifeh\*\*  
Victoria Wenger\*  
NAACP Legal Defense & Educational  
Fund  
40 Rector Street, 5th Floor  
New York, NY 10006  
laden@naacpldf.org  
snaifeh@naacpldf.org  
vwenger@naacpldf.org

I. Sara Rohani\*  
NAACP Legal Defense & Educational  
Fund  
700 14th Street, Suite 600  
Washington, DC 20005  
(929) 536-3943  
srohani@naacpldf.org

Josephine Bahn\*\*  
Cozen O'Connor  
1200 19th Street NW  
Washington, D.C. 20036  
JBahn@cozen.com

*Attorneys for Plaintiffs*

\*Admitted Pro Hac Vice

\*\*Pro Hac Vice Motion Forthcoming



# **EXHIBIT A**

<b>Event</b>	<b>Before Stay</b>	<b>Time Remaining Upon Issuance of Stay</b>	<b>Plaintiffs' Proposal</b>	<b>Time After Lifting of Stay</b>	<b>Defendants' Proposal</b>	<b>Plaintiffs' Position on Defendants' Proposal</b>
Plaintiffs' Expert Reports	7/22/2022	Already Served				
Plaintiffs' Supplemental Expert Reports	N/A		6/30/2023	10 days	6/30/2023	agreed
Defendants Expert Disclosures	9/2/2022	2 days	7/6/2023	15 days	8/4/2023	disputed
Defendants Expert Reports	9/9/2022	9 days	7/21/2023	30 days	8/11/2023	disputed
Plaintiffs' Rebuttal Expert Disclosures	No date set		7/25/2023	5 weeks	8/14/2023	disputed
Plaintiffs' Rebuttal Expert Reports	9/23/2022	23 days	8/4/2023	6 weeks	8/25/2023	disputed
Defendants' Sur-Rebuttal Expert Disclosure	No date set		8/8/2023	6 ½ weeks	8/29/2023	disputed
Exchange Fact Witness Lists	No date set		8/10/2023	7 weeks	8/14/2023	agreed
Defendants' Sur-Rebuttal Expert Reports	10/7/2022	37 days	8/11/2023	7 weeks	9/8/2023	disputed
Fact discovery close and file related motions	10/17/2022	7 weeks	8/31/2023	10 weeks	9/1/2023	agreed
Exchange Expert Witness Lists	No date set				9/8/2023	agreed
Expert discovery close	10/21/2022	7 ½ weeks	9/22/2023	3 months	9/29/2023	agreed
Dispositive & Daubert & Expert-related motions	10/28/2022	1 week after close of expert discovery	9/29/2023	1 week after close of expert discovery	10/6/2023	agreed
File pre-trial order	No date set		10/20/2023	5 weeks prior to trial	10/20/2023	agreed
Proposed findings of fact & conclusions of law	12/12/2022	5 weeks prior to trial	10/27/2023	1 month prior to trial	10/27/2023	agreed

<b>Event</b>	<b>Before Stay</b>	<b>Time Remaining Upon Issuance of Stay</b>	<b>Plaintiffs' Proposal</b>	<b>Time After Lifting of Stay</b>	<b>Defendants' Proposal</b>	<b>Plaintiffs' Position on Defendants' Proposal</b>
Pre-trial conference	12/19/2022	4 weeks prior to trial	11/2/2023	3 ½ weeks prior to trial	11/2/2023	agreed
Trial briefs	12/23/2022	3 weeks prior to trial	11/13/2023	2 weeks prior to trial	11/13/2023	agreed
Trial scheduled to begin	1/17/2023		11/27/2023		11/27/2023	