

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMNER
BARBARA FINN; OTHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

and

**MISSISSIPPI STATE REPUBLICAN
EXECUTIVE COMMITTEE**

DEFENDANT-INTERVENOR

JOINT STIPULATION AS TO EXPERT MORRISON

COME NOW THE PARTIES, Plaintiffs, Mississippi Conference of the National Association for the Advancement of Colored People (“MS NAACP”), Dr. Andrea Wesley, Dr. Joseph Wesley, Robert Evans, Gary Fredericks, Pamela Hamner, Barbara Finn, Otho Barnes, Shirlinda Robertson, Sandra Smith, Deborah Hulitt, Rodesta Tumblin, Dr. Kia Jones, Marcelean Arrington, and Victoria Robertson (the “Plaintiffs”), Defendants, State Board of Election Commissioners, Tate Reeves, *in his official capacity as Governor of Mississippi*, Lynn Fitch, *in her official capacity as Attorney General of Mississippi*, and Michael Watson, *in his official*

capacity as Secretary of State of Mississippi (the “Defendants”), and the Mississippi State Republican Executive Committee (“Defendant-Intervenor”), and stipulate and agree as follows:

1. Plaintiffs may re-open the deposition of Dr. Peter Morrison, previously conducted on December 1, 2023, at a mutually agreeable time and place, for the limited purpose of examining Dr. Morrison related solely to the two statistical tests included in his supplemental report submitted on December 11, 2023.

2. Plaintiffs are limited to a time period of two (2) hours to conduct their examination of Dr. Morrison. This time period does not apply to any re-direct examination by counsel for Defendants.

3. Plaintiffs will be responsible for payment of Dr. Morrison’s reasonable time and expenses spent in preparation for and participation in the re-opened deposition, consistent with Federal Rule 26(b)(4)(E)(i).

4. Plaintiffs will be allowed to submit a surrebuttal report within ten (10) business days of the date of this Joint Stipulation. Plaintiffs agree that any such surrebuttal report shall be limited in scope to responding to the supplemental report submitted by Dr. Morrison on December 11, 2023.

5. Plaintiffs agree that by virtue of entry of this Joint Stipulation, they withdraw their Motion in Limine to Exclude Untimely Expert Testimony from Dr. Peter Morrison [Dkt. # 170] and supporting Memorandum of Law [Dkt. # 171] previously filed on January 4, 2024. Plaintiffs further agree not to seek any relief in the future that was the subject of such Motion.

This the 19th day of January, 2024.

/s/ Ari Savitzky

Ari Savitzky pro hac vice
Kelsey Miller, pro hac vice
Ming Cheung, pro hac vice
Patricia Yan, pro hac vice
ACLU FOUNDATION

Joshua F. Tom (MB No. 105392)
ACLU OF MISSISSIPPI

Robert B. McDuff (MB No. 2532)
MISSISSIPPI CENTER FOR JUSTICE

Carroll Rhodes (MB No. 5314)
LAW OFFICES OF CARROLL RHODES

John P. Lavelle, Jr., pro hac vice
Drew C. Jordan, pro hac vice
MORGAN, LEWIS & BOCKIUS

Ezra D. Rosenberg, pro hac vice
Jennifer Nwachukwu, pro hac vice
David Rollins-Boyd, pro hac vice
**LAWYERS COMMITTEE FOR CIVIL
RIGHTS UNDER LAW**

Counsel for Plaintiffs

This the 19th day of January, 2024.

/s/ Tommie S. Cardin

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

BUTLER SNOW LLP

Rex M. Shannon III (MB #102974)

STATE OF MISSISSIPPI

OFFICE OF THE ATTORNEY GENERAL

CIVIL LITIGATION DIVISION

Counsel for Defendants

This the 19th day of January, 2024.

/s/ Michael B. Wallace

Michael B. Wallace (MB #6904)

Charles E. Cowan (MB #104478)

WISE CARTER CHILD & CARAWAY, P.A.

Counsel for Defendant-Intervenor

Mississippi State Republican Executive Committee

CERTIFICATE OF SERVICE

I, Tommie S. Cardin, one of the attorneys for the Defendants, do hereby certify that I have this day filed the above and foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record.

This the 19th day of January, 2024.

/s/ Tommie S. Cardin
Tommie S. Cardin