

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF ILLINOIS**

<b>Contreras et al</b>	)	
Plaintiff(s),	)	1:21-cv-03139
v.	)	Magistrate Judge Beth W. Jantz
	)	
<b>Illinois State Board of Elections et al</b>	)	
Defendant(s),	)	

**ORDER**

Telephonic status conference on discovery held on 10/7/21 and continued to 10/19/21 at 9:30 a.m. CT in Case No. 21-3091 (McConchie) and Case No 21-3139 (Contreras). To join the status conference by phone, dial 888-273-3658 and enter access code 2217918. Members of the public and media will be able to call in to listen to this hearing as well. Additional dates and discussion regarding scheduling matters, including those raised by the parties but within the purview of the three-judge panel, are below.

**STATEMENT**

Telephonic status conference on discovery held on 10/7/21, and continued to 10/19/21, at 9:30 a.m. CT. The Contreras Plaintiffs' motion to compel [94] remains under advisement, with a written decision to issue shortly. The parties report having exchanged Category No. 3 "general" discovery (as specified in this Court's 9/8/21 order [Case No. 21-3091, dkt. 97; Case No. 21-3139, dkt. 76]), and having recently resolved a data transmission issue that delayed receipt of at least one production. On this basis, the Legislative Defendants' unopposed oral motion to extend their deadline for any motion to compel regarding Category No. 3 discovery is granted to noon CT on 10/11/21. Response(s) to any such motion shall be due by noon CT on 10/13/21. For all other parties, the previously set schedule, requiring any motions to compel on Category 3 discovery to be filed by noon CT on 10/8/21, remains in place. [See id.] As discussed on the record, all parties are reminded to adhere to these date and time deadlines, unless granted leave from the Court otherwise. Furthermore, in considering whether to file any motions to compel (necessarily preceded by a meet and confer), the parties should consider that all discovery requests will be evaluated in part according to their reasonableness in the circumstances and proportionality to the needs of the case, particularly given the necessarily expedited nature.

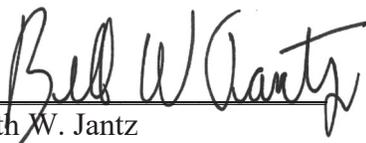
The Contreras Plaintiffs have filed a proposed scheduling order [104] raising matters that are mostly beyond the referral to the Magistrate Judge and instead are within the purview of the three-judge panel. As discussed in open court, the Contreras Plaintiffs note that responses to their second amended complaint are currently due by 10/22/21, which is the same day that all opening expert reports are due, and it was previously anticipated by this Court that fact discovery would conclude before expert reports. Without an order shortening the Defendants' deadline for responding to the second amended complaints filed by both sets of Plaintiffs, it is expected that Category No. 2 fact discovery (which would be based on the filing of responses to the second amended complaints) will bleed into the expert discovery schedule. Nevertheless, even in advance

of any responsive submissions from the defendants, to the extent that the parties already know of or anticipate the need for any specific fact depositions, they should begin that work immediately, particularly given that this current discovery schedule was set in early September.

Further related to scheduling, Defendant Illinois State Board of Elections (“ISBOE”) reported on its anticipated timeframe necessary to effectuate upcoming 2022 elections consistent with any decision in these cases. To assist the three-judge panel with consideration of this timing issue, the ISBOE is directed to submit a brief status report by the close of business on 10/8/21, describing the work it sees as necessary, and including not only its ideal date, but also the latest date (i.e., the “drop dead deadline”) by which it would need a decision in order to allow it to carry out all necessary work to comply. Any responses to the ISBOE’s report are due by noon CT on 10/12/21.

To join the 10/19/21 telephonic status conference, dial 888-273-3658 and enter access code 2217918.

Date: 10/07/2021

  
Beth W. Jantz  
United States Magistrate Judge