

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al.,	§ §	EP-21-CV-00259-DCG-JES-JVB [Lead Case]
<i>Plaintiffs,</i>		
EDDIE BERNICE JOHNSON, et al.,		
<i>Plaintiff-Intervenors,</i>		&
v.		
GREG ABBOTT, in his official capacity as Governor of the State of Texas, et al.,		All Consolidated Cases
<i>Defendants.</i>		

ORDER SETTING BRIEFING SCHEDULE

On May 17, 2023, the Fifth Circuit issued an opinion in *LULAC Texas v. Hughes*.¹ No. 22-50435, --- F.4th ----, 2023 WL 3494770 (5th Cir. May 17, 2023). The parties have now jointly moved to set a supplemental briefing schedule to address *Hughes*'s impact on the pending discovery motions in this case. Mot. Supp. Briefing, ECF No. 702.

The Court **GRANTS** the parties' "Motion for Leave to File Supplemental Briefing Regarding Pending Discovery Motions Involving Legislative Privilege" (ECF No. 702). The Court **ADOPTS** the following briefing schedule:

- (1) Private Plaintiffs and Plaintiff-Intervenors (collectively) and the United States must file supplemental briefs of no more than 20 pages double-spaced by **June 23, 2023**.
- (2) State Defendants and Legislators must file a supplemental opposition brief of no more than 20 pages double-spaced by **July 28, 2023**.

¹ The case is also captioned as *La Union Del Pueblo Entero v. Abbott*, No. 22-50435 (5th Cir.).

(3) Private Plaintiffs and Plaintiff-Intervenors (collectively) and the United States may file supplemental reply briefs of no more than 10 pages double-spaced by **August 11, 2023**.

The Court **VACATES** all other briefing deadlines for pending discovery motions.

The Court also reiterates its earlier order requiring the parties to jointly file periodic advisories to inform this Court of developments in any higher court that pertain to the instant district court proceedings. Clarification Order, ECF No. 654, at 2. For example, some parties to this case recently filed a Joint Status Report with the Fifth Circuit in *LULAC v. Patrick*, No. 22-50662 (5th Cir. May 24, 2023), Doc. No. 100. The Court would appreciate updates from the parties when the Fifth Circuit decides how *Patrick* will proceed.

So ORDERED and SIGNED this 26th day of May 2023.



DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE

And on behalf of:

Jerry E. Smith
United States Circuit Judge
U.S. Court of Appeals, Fifth Circuit

-and-

Jeffrey V. Brown
United States District Judge
Southern District of Texas