

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

COMMON CAUSE FLORIDA, et al.,

Plaintiffs,

v.

Case No. 4:22-cv-109-AW-MAF

**CORD BYRD, in his official capacity as
Florida Secretary of State,**

Defendant.

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ORDER REGARDING TRIAL

Having considered the parties' joint pretrial report (ECF No. 187), the court has determined that no pretrial conference is necessary. The court now orders as follows:

1. The report indicates that both parties wish to call witness J. Alex Kelly. They agree he should be called only once, but they disagree about when. The court has determined that Plaintiffs may call him in their case, and Defendant may exceed the usual scope of cross examination to elicit testimony they would pursue in their case-in-chief.

2. The report indicates the parties wish to present expert direct examinations live, rather than in writing. Based on the parties' time estimates of trial preparations, the court will permit this.

3. Consistent with the parties' agreement, each side will be allowed up to 22 hours of trial presentation, including 30 minutes for opening statements.

4. In their trial briefs (due September 19, *see* ECF No. 171), the parties must indicate their views on what impact (if any) the recent state-court decision invalidating the challenged map has on this case.

5. Within seven days, the parties must file in this court a copy of the state-court hearing transcript.

SO ORDERED on September 13, 2023.

s/ Allen Winsor

United States District Judge
for the Three-Judge Court