

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

JULIE CONTRERAS, et al.,)	
)	
Plaintiffs,)	Case No. 21-cv-3139
)	
v.)	Circuit Judge Michael B. Brennan
)	Chief District Judge Jon E. DeGuilio
ILLINOIS STATE BOARD OF ELECTIONS,)	District Judge Robert M. Dow, Jr.
et al.,)	
)	
Defendants.)	

ORDER

Video status hearing held on 9/1/2021. In view of the recent developments reported at the status hearing and the current state of the record, the panel (a) enters the following case management deadlines, (b) strikes the 9/27, 9/28, and 9/29 trial dates, and (c) sets this matter for further status hearings on 9/27/2021 and 10/4/2021 at 10:00 a.m.

STATEMENT

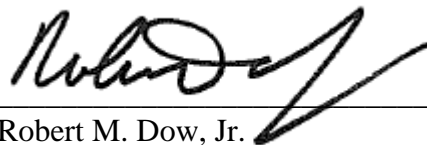
1. The parties are directed to file a status report as soon as possible after the Governor takes action on the legislation passed on 8/31/2021 enacting a revised redistricting map.
2. Briefing on Plaintiffs’ motion for summary judgment [76] and Defendants’ motions to dismiss [66, 80] will proceed as follows: responses due by 9/10/2021; replies due by 9/17/2021. In the briefing on the motions to dismiss, the parties should address whether any standing deficiencies could be remediable in an amended complaint, as any dismissal order likely would be issued without prejudice in view of the potential for different claims to be advanced challenging the revised map, as discussed on the record at the status hearing. In their summary judgment briefs, the parties should address (a) what event(s) trigger a “remedial phase” in redistricting litigation, (b) what possible remedies can be fashioned during a remedial phase, and (c) in the event that a remedy is needed in this case, by what criteria should the panel select one?
3. Regardless of whether an amended complaint is required under the Federal Rules of Civil Procedure or the case law governing legislative redistricting, the panel directs Plaintiffs to file an amended complaint no later than 10/1/2021 so that the panel and the parties can readily identify the bases for any challenges to the operative proposed map and assess whether those challenges arise under the federal or state constitution or under the Voting Rights Act. The need to create a clear record for appellate review and for the parties and the panel to have an easily accessible and comprehensible road map to the issues to be litigated on an expedited basis support the panel’s insistence that the parties advance their claims and defenses through formal pleadings.

4. Fact and expert discovery are to proceed expeditiously under the supervision of Magistrate Judge Jantz with the objective of clarifying the legal challenges to and defenses of the new map by the 10/1/2021 deadline for filing an amended complaint and thereafter finalizing the expert reports, taking expert depositions, and placing this case in a trial-ready posture. Magistrate Judge Jantz will set all deadlines in regard to discovery.

5. In view of the foregoing, the 9/27, 9/28, and 9/29/2021 trial dates are stricken and will be reset at a later date.

6. Further status hearings are set for 9/27/2021 and 10/4/2021 at 10:00 a.m. No later than a week prior to that date, the panel will issue an order indicating whether the status hearing will be telephonic, video, or in-person. The Courtroom Deputy will place on the docket at that time all relevant information for parties, counsel, members of the public, and media to access to hearing.

Dated: September 2, 2021



Robert M. Dow, Jr.
United States District Judge