

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

KELVIN LEON JONES et al.,

Plaintiffs,

v.

CONSOLIDATED

CASE NO. 4:19cv300-RH/MJF

RON DeSANTIS et al.,

Defendants.

SCHEDULING ORDER

This order confirms and adds to the schedule set out on the record of the hearing on August 15, 2019. This order does not foreclose a party from asserting at the preliminary-injunction hearing that the record should be held open for later submission of evidence that, despite diligence, could not be obtained and presented by that time.

IT IS ORDERED:

1. The Supervisors of Elections' motion to dismiss, ECF No. 96, is denied.
2. The Supervisors of Elections' motion to stay discovery, ECF No. 102, is denied.

3. The deadline for the plaintiffs to respond to the Governor's and Secretary of State's motion to dismiss, ECF No. 97, is August 29, 2019.

4. The Governor and Secretary may file a reply memorandum in support of their motion to dismiss by September 23, 2019.

5. The plaintiffs will file today a motion for a preliminary injunction corresponding to their preliminary-injunction memorandum, ECF No. 98-1.

6. The deadline for the defendants to respond to the preliminary-injunction motion is September 6, 2019.

7. The plaintiffs may file a reply memorandum in support of the preliminary-injunction motion by September 23, 2019.

8. By September 16, 2019, each party must file each declaration and each exhibit it will offer on the preliminary-injunction motion.

9. By September 16, 2019, each party must file a witness list, separately identifying witnesses the party intends to call at the preliminary-injunction hearing and those the party may call if the need arises.

10. By September 16, 2019, each party must file Federal Rule of Civil Procedure 26(a)(2) disclosures for each witness it will present at the preliminary-injunction hearing under Federal Rule of Evidence 702, 703, or 705.

11. The deadline for the filings required by paragraphs 7, 8, and 9 is September 23—not September 16—for rebuttal evidence. Evidence is rebuttal

evidence within the meaning of this paragraph only if the need for the evidence first became apparent—and first should have become apparent—from the adverse party's disclosures on September 16 (or from other disclosures or discovery received on or after September 9).

12. Evidence for which proper and timely disclosures are not made as required by this order will not be admitted.

13. The preliminary-injunction hearing will begin at 9:00 a.m. on October 7, 2019. If not completed that day, the hearing will continue from day to day until concluded. Oral argument will be permissible on all issues that have not been resolved by prior orders.

14. The initial scheduling order, ECF No. 37, is vacated.

15. Throughout the case, unless otherwise ordered, a motion or objection or argument asserted by one plaintiff is deemed to have been asserted by all plaintiffs, and a motion or objection or argument asserted by one defendant is deemed to have been asserted by all defendants, unless the context or circumstances suggest otherwise. But a party who is deemed to have asserted a motion or objection or argument on this basis must separately raise any additional issue not reasonably encompassed by the original motion or objection or argument.

SO ORDERED on August 15, 2019.

s/Robert L. Hinkle
United States District Judge