

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>LOUIS AGRE, WILLIAM EWING, FLOYD MONTGOMERY, JOY MONTGOMERY, RAYMAN SOLOMON</b>  v.  <b>THOMAS W. WOLF</b> , Governor of Pennsylvania, <b>PEDRO CORTES</b> , Secretary of State of Pennsylvania, <b>JONATHAN MARKS</b> , Commissioner of the Bureau of Elections – in their official capacities	<b>CIVIL ACTION</b>  <b>NO. 17-4392</b>
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**ORDER**

**BEFORE: Smith, Chief Circuit Judge; Shwartz, Circuit Judge; Baylson, District Judge:**

**AND NOW**, this 25<sup>th</sup> day of October, 2017, the Court having considered various motions,  
**ORDERS** as follows:

1. The Motion to Intervene by Michael C. Turzai, in his official capacity as Speaker of the Pennsylvania House of Representatives, and Joseph B. Scarnati, III, in his official capacity as Pennsylvania Senate President Pro Tempore, as defendants as a matter of right (ECF 45), is

**GRANTED.**

2. As to Defendant-Intervenors' Motion to Dismiss Plaintiffs' Complaint, Plaintiffs shall respond, as previously scheduled, by October 31, 2017, with a 20 page limit. Defendants and/or Intervenors shall file a reply brief by November 3, 2017, limited to 15 pages.

3. As to the Defendant-Intervenors' Motion to Stay and/or Abstain (ECF 45), the Motion is **DENIED.**

4. Defendant-Intervenors' Motions for Review and Reconsideration of the October 10, 2017 Order (ECF 31) and to Amend the Pretrial Schedule (ECF 46) are **GRANTED** in part and **DENIED** in part:

- a. Plaintiffs shall disclose the identity of their experts (with a current C.V.), and the topic(s) of each report by November 1, 2017.

b. Defendants' expert report(s) shall be served by November 22, 2017, rather than by the current deadline of November 21, 2017.

5. The Court has previously reserved November 7, 2017 for argument on any open motions and currently intends to hold argument on that date, with the time and location at 601 Market Street, Philadelphia PA to be determined.

6. The Court will adhere to the current schedule of hearing any motions in limine or other pretrial matters on Monday, December 4, 2017 and will begin the trial on that same day as soon as the hearing on any motions are completed. The trial will continue into that week. It appearing that there are approximately 30 hours available for testimony that week, the Court will tentatively allow Plaintiffs 15 hours to present their testimony and Defendants and/or Intervenors 15 hours (split however they agree) to present their testimony, allocated approximately 10 hours for direct testimony and 5 hours for cross-examination. These time limits are subject to modification.

7. The Court is not available for trial during the week of December 11, 2017. If the parties request and/or the Court determines additional time for testimony is needed, it may be scheduled during the week of December 18, 2017 or in January.

8. Counsel are expected to agree to stipulate to all undisputed facts, and to any other matters which shall further the just and speedy disposition of this case.

**BY THE COURT:**

**/s/ Michael M. Baylson**

**MICHAEL M. BAYLSON, U.S.D.J.**