

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

|                                   |   |                          |
|-----------------------------------|---|--------------------------|
| NAACP, <i>et al.</i> ,            | ) |                          |
|                                   | ) |                          |
| Plaintiffs,                       | ) | CIVIL ACTION FILE NO.:   |
|                                   | ) | 1:17-CV-1427-TCB-WSD-BBM |
| v.                                | ) |                          |
|                                   | ) |                          |
| BRIAN KEMP, in his official       | ) | CONSOLIDATED CASES       |
| capacity as Secretary of State of | ) |                          |
| the State of Georgia,             | ) |                          |
|                                   | ) |                          |
| _____<br>Defendant.               | ) |                          |

|                                   |   |
|-----------------------------------|---|
| AUSTIN THOMPSON, <i>et al.</i> ,  | ) |
|                                   | ) |
| Plaintiffs,                       | ) |
|                                   | ) |
| v.                                | ) |
|                                   | ) |
| BRIAN KEMP, in his official       | ) |
| capacity as Secretary of State of | ) |
| the State of Georgia,             | ) |
|                                   | ) |
| Defendant.                        | ) |

**DEFENDANT’S MOTION FOR SLIGHT MODIFICATION  
OF SCHEDULING ORDER**

COMES NOW Defendant, Brian Kemp, by and through the Attorney General, and moves for a slight modification of the scheduling Order entered by the Court today, November 20, 2017. Doc. 50. The scheduling order limits the time for the parties to conduct fact witness depositions to December 8, 2017, less

than three weeks from today. Given that discovery does not close until February 16, 2018, limiting fact witness depositions to just the two weeks after the Thanksgiving holiday seems unnecessary and will not give the parties sufficient time to take all necessary depositions in this matter. In fact, the parties agreed in their initial discovery report that more than ten depositions per side would be needed. *See* Doc. 25, p. 16 no. 11. The first deposition in this matter is being conducted today, November 20, 2017. The parties cannot complete all fact witness depositions in such a short time. In addition, new witnesses are likely to be discovered as discovery proceeds. Defendant should not be limited to taking only depositions of witnesses currently known. Finally, the local rules of the Northern District do not ordinarily limit the time for fact witness depositions beyond requiring that they take place prior to the expiration of the discovery period. Defendant respectfully requests that the scheduling order be modified to allow fact witness depositions throughout the discovery period, i.e., until February 16, 2018.

Respectfully submitted,

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Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I have electronically filed the foregoing **DEFENDANT'S MOTION FOR SLIGHT MODIFICATION OF THE SCHEDULING ORDER** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all attorneys of record.

This 20th day of November, 2017.

/s/Cristina Correia  
Cristina Correia