

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

COMMON CAUSE, et al.,)
)
Plaintiffs,)
)
v.) 1:16CV1026
)
ROBERT A. RUCHO, in his)
official capacity as Chairman)
of the North Carolina Senate)
Redistricting Committee for)
the 2016 Extra Session and)
Co-Chairman of the Joint Select)
Committee on Congressional)
Redistricting, et al.,)
)
Defendants.)
)

)
LEAGUE OF WOMEN VOTERS OF)
NORTH CAROLINA, WILLIAM)
COLLINS, ELLIOTT FELDMAN,)
CAROL FAULKNER FOX,)
ANNETTE LOVE, MARIA PALMER,)
GUNTHER PECK, ERSLA PHELPS,)
JOHN QUINN, III, AARON SARVER,)
JANIE SMITH SUMPSTER,)
ELIZABETH TORRES EVANS, and)
WILLIS WILLIAMS,)
)
Plaintiffs,)
)

v.) 1:16CV1164
)
ROBERT A. RUCHO, in his)
official capacity as Chairman)
of the North Carolina Senate)
Redistricting Committee for)
the 2016 Extra Session and)
Co-Chairman of the 2016 Joint)
Select Committee on)
Congressional Redistricting,)
)

DAVID R. LEWIS, in his)
 official capacity as Chairman)
 of the North Carolina House of)
 Representatives Redistricting)
 Committee for the 2016 Extra)
 Session and Co-Chairman of the)
 2016 Joint Select Committee on)
 Congressional Redistricting,)
 TIMOTHY K. MOORE, in his)
 official capacity as Speaker)
 of the North Carolina House of)
 Representatives,)
 PHILIP E. BERGER, in his)
 official capacity as President)
 Pro Tempore of the North)
 Carolina Senate,)
 A. GRANT WHITNEY, JR., in his)
 official capacity as Chairman)
 and Acting on Behalf of the)
 North Carolina State Board of)
 Elections,)
 THE NORTH CAROLINA STATE BOARD)
 OF ELECTIONS, and)
 THE STATE OF NORTH CAROLINA,)
)
 Defendants.)

ORDER

In case number 1:16CV1026, the parties have filed individual Rule 26(f) reports (Docs. 30, 32) pursuant to Fed. R. Civ. P. 26(f) and LR 16.1(b). The parties are unable to reach an agreement on a discovery plan and Plaintiffs have requested the scheduling of a pretrial conference to resolve the differences. (Doc. 35.)

Case number 1:16CV1164 is related to case number 1:16CV1026 with respect to issues and parties. A motion to dismiss has been filed in the 1:16CV1164 case, but no response is presently due and the parties have not filed Rule 26(f) reports.

Nevertheless, because of the related issues and parties in each of the two cases, this court finds it appropriate to hold one pretrial conference pursuant to Fed. R. Civ. P. 16 and LR 16.1(c) for both cases. As a result, this court will require that the parties in case number 1:16CV1164 meet as required by LR 16.1(b) for the purposes set forth in that rule and, thereafter, submit either a Joint Rule 26(f) report or individual Rule 26(f) reports clearly describing the issues upon which the parties agree and disagree. Upon the filing of the Rule 26(f) reports in 1:16CV1164, this court will hold a pretrial conference in each of these two cases, even if the parties in 1:16CV1164 agree upon the parameters of discovery in that case.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Schedule Pre-Trial Conference in case number 1:16CV1026 (Doc. 35) is hereby **GRANTED**.

IT IS FURTHER ORDERED that the parties in 1:16CV1164 shall meet and confer as required by LR 16.1(b) and thereafter file an appropriate Rule 26(f) report(s), on or before January 4, 2017.

Upon the filing of the Rule 26(f) reports, the Clerk is directed to promptly set a hearing on an initial pretrial conference as required by LR 16.1(c) for each of these cases. The Clerk may confer with all counsel to determine a date upon which all counsel may be available in anticipation of the filing of the pretrial reports. Nevertheless, the pretrial conference will be set at the direction of the court.

This the 19th day of December, 2016.

FOR THE COURT:

William L. Ostun, Jr.

United States District Judge