

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ALABAMA STATE )  
CONFERENCE OF THE )  
NATIONAL ASSOCIATION )  
FOR THE ADVANCEMENT OF )  
COLORED PEOPLE, *et al.*, )

Plaintiffs, )

v. )

CASE NO. 2:16-CV-731-WKW

STATE OF ALABAMA; and )  
JOHN H. MERRILL, in his )  
official capacity as Alabama )  
Secretary of State, )

Defendants. )

**BRIEFING ORDER**

It is ORDERED that the Order entered on October 17, 2016 (Doc. # 19), is VACATED and that this Briefing Order is entered in its place. Upon consideration of Plaintiffs’ unopposed motion for extension of time (Doc. # 18), it is ORDERED that the motion is GRANTED. Accordingly, Plaintiffs shall file a response to the pending motion to dismiss (Doc. # 17), which shall include a brief, **on or before November 16, 2016**. Defendants are permitted to file a response to the motion on or before **November 28, 2016**. Federal Rule of Civil Procedure 6(a), but not Federal Rule of Civil Procedure 6(d), applies in computing the time periods above.

The motion shall be under submission on the due date of the reply brief. Unless the court determines that a hearing is necessary or helpful, at which time a hearing date will be set, the court will determine the motion without oral argument upon submission.

Briefs in support of or in opposition to any motion **generally should not exceed 25 pages**. If a brief exceeds 25 pages, counsel must include a table of contents indicating the main sections of the brief, the principal arguments and citations to authority made in each section, and the pages on which each section and any sub-sections may be found. Additionally, for briefs exceeding 25 pages, the filing party shall submit to chambers a paper courtesy copy **bound in a three-ring binder and tabbed**. If a brief and attachments or exhibits **together** exceed 25 pages, the filing party shall submit to chambers a paper courtesy copy bound in a three-ring binder and tabbed.

There is no requirement that courtesy copies be delivered to chambers by the due date; courtesy copies may be mailed or shipped to chambers on the day they are due.

Any discussion of evidence in a brief must include the specific reference, by name or document number and by page and line, to where the evidence can be found in the supporting evidentiary submission or in any document filed with the court. Failure to comply strictly with this Order may result in the striking of the filing or

other appropriate sanctions. To the extent the present motion does not comply with this Order, the moving party is given 7 calendar days to correct the deficiencies.

**For all future motions to dismiss, motions for judgment on the pleadings, motions for summary judgment, and *Daubert* motions filed in this case, it is ORDERED that:**

1. The movant shall file its brief and any evidentiary submission simultaneously with the filing of the dispositive motion.

2. The opponent's response brief and any evidentiary submission shall be due **21 days after the date the motion is filed.**

3. The movant's reply brief, if any, shall be due **7 days after the date the response is filed.**

4. All other general briefing instructions in this Order apply to these future motions.

DONE this 18th day of October, 2016.

/s/ W. Keith Watkins  
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CHIEF UNITED STATES DISTRICT JUDGE