

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

| | | |
|--|---|-----------------------------------|
| DAWN CURRY PAGE, <i>et al.</i>, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 3:13cv678 |
| |) | |
| VIRGINIA STATE BOARD OF ELECTIONS, <i>et al.</i>, |) | |
| |) | |
| Defendants. |) | |

**CONSENT MOTION TO EXTEND DISCOVERY
FOR DEPOSITIONS OF THE PLAINTIFFS**

Plaintiffs, Defendants and Intervenor-Defendants, by counsel, hereby state as follows for their Consent Motion to Extend Discovery for Depositions of the Plaintiffs:

1. On March 19, 2014, Defendants’ counsel contacted Plaintiffs’ counsel requesting dates on which each of the plaintiffs would be available for depositions. Defendants’ counsel suggested March 28 and March 31 as possible dates. At that time, Plaintiffs’ counsel indicated that counsel would contact the plaintiffs and then provide Defendants’ Counsel with available dates. In subsequent communications, Plaintiffs’ counsel indicated that they are working to arrange Plaintiffs’ availability for depositions.

2. On March 26, 2014, Defendants’ counsel issued a Notice of Deposition for Plaintiffs’ depositions to occur on March 31 at Defendants’ counsel’s offices. Prior to issuing the Notice, Defendants’ counsel notified Plaintiffs’ counsel of the Notice and of Defendants’ counsel’s willingness to proceed with the depositions on a different date if March 31 is not available, subject to this Court’s extension of discovery for purposes of these depositions.

3. Plaintiffs are not available on March 31 and Plaintiffs' counsel continues to work on coordinating Plaintiffs' and counsel's availability.

4. All parties agree to a ten (10) day extension of the current March 31, 2014 discovery deadline established by Plaintiffs' and Defendants' February 7, 2014 Joint Status Report and Proposed Schedule and this Court's February 12, 2014 Order, for purposes of scheduling the depositions of Plaintiffs on a date and time available to the parties and counsel.

WHEREFORE, for the foregoing reasons, Plaintiffs, Defendants and Intervenor-Defendants respectfully request that this Court enter a Consent Order extending discovery for an additional ten (10) days for purposes of deposing Plaintiffs. A proposed Consent Order is attached.

Respectfully submitted,

/s/ Mike F. Melis

Mark R. Herring
Attorney General of Virginia

Cynthia E. Hudson
Chief Deputy Attorney General

Rhodes B. Ritenour
Deputy Attorney General

*Mike F. Melis (VSB No. 43021)
Assistant Attorney General

Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
Tel: (804) 786-2071
Fax: (804) 371-2087
mmelis@oag.state.va.us
**Counsel of Record*

Counsel for Defendants

Respectfully submitted,

/s/ Michael A. Carvin

Michael A. Carvin (*pro hac vice*)
John M. Gore (*pro hac vice*)
Jonathan A. Berry (VSB No. 81864)
JONES DAY
51 Louisiana Avenue, N.W.
Washington, DC 2001
Tel: (202) 879-3939
Fax: (202) 626-1700
macarvin@jonesday.com
jmgore@jonesday.com
jberry@jonesday.com

Counsel for Intervenor Defendants

Respectfully submitted,

/s/ John Devaney

John K. Roche, Esq.
Mark Erik Elias, Esq.
John Devaney, Esq.
Perkins Coie, LLP
700 13th St. N.W., Suite 600
Washington, DC 20005-3960
Phone: (202) 434-1627
Fax: (202) 654-9106
JRoche@perkinscoie.com
MElias@perkinscoie.com
JDevaney@perkinscoie.com

Kevin J. Hamilton, Esq.
Perkins Coie, LLP
1201 Third Avenue, Ste. 4800
Seattle, WA 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000
KHamilton@perkinscoie.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of March, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to the following:

John K. Roche, Esq.
Mark Erik Elias, Esq.
John Devaney, Esq.
Perkins Coie, LLP
700 13th St. N.W., Suite 600
Washington, DC 20005-3960
Phone: (202) 434-1627
Fax: (202) 654-9106
JRoche@perkinscoie.com
MElias@perkinscoie.com
JDevaney@perkinscoie.com

Michael Anthony Carvin, Esq.
John Matthew Gore, Esq.
Jonathan Andrew Berry, Esq.
Jones Day
51 Louisiana Avenue, N.W.
Washington, DC 20001
Phone: (202) 879-3939
Fax: (202) 626-1700
macarvin@jonesday.com
jmgore@jonesday.com
jberry@jonesday.com

Kevin J. Hamilton, Esq.
Perkins Coie, LLP
1201 Third Avenue, Ste. 4800
Seattle, WA 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000
KHamilton@perkinscoie.com

Counsel for Intervenor-Defendants

Counsel for Plaintiffs

/s/ Mike F. Melis
Mike F. Melis (VSB No. 43021)
Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
Telephone: (804) 786-2071
Fax: (804) 371-2087
mmelis@oag.state.va.us
Counsel for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

| | | |
|--|---|-----------------------------------|
| DAWN CURRY PAGE, <i>et al.</i>, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 3:13cv678 |
| |) | |
| VIRGINIA STATE BOARD OF ELECTIONS, <i>et al.</i>, |) | |
| |) | |
| Defendants. |) | |

**CONSENT ORDER TO EXTEND DISCOVERY
FOR DEPOSITIONS OF THE PLAINTIFFS**

Upon consideration of the parties' Consent Motion to Extend Discovery for Depositions of the Plaintiffs, the Consent Motion is GRANTED and discovery is hereby extended for ten days beyond March 31, 2014, for purposes of deposing the plaintiffs. The plaintiffs shall make themselves available for a deposition on or before April 10, 2014.

The Honorable Robert E. Payne
Senior United States District Judge

Richmond, Virginia

Date: March ____, 2014