

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CIVIL DIVISION**

**DEBORAH SPRINGER SUTTLAR, JUDY GREEN, FRED LOVE,
in his individual and official capacity as State Representative,
KWAMI ABDUL-BEY, CLARICE ABDUL-BEY, and
PAULA WITHERS,**

PLAINTIFFS

v.

No. 60CV-22-1849

**JOHN THURSTON, in his official capacity
as the Secretary of State of Arkansas and in his official capacity
as the Chairman of the Arkansas State Board of Election Commissioners,
and SHARON BROOKS, BILENDA
HARRIS-RITTER, WILLIAM LUTHER,
CHARLES ROBERTS, WENDY BRANDON, JAMIE CLEMMER and
JAMES HARMON SMITH III, in their official capacities
As members of the Arkansas State Board of
Election Commissioners,**

DEFENDANTS

**JOINT MOTION FOR TRIAL CONTINUANCE AND FOR
ENTRY OF SCHEDULING ORDER**

Plaintiffs and Defendants (collectively referred to herein as “the Parties”), jointly move for a continuance of the scheduled bench trial and for entry of scheduling order. In support of this motion, the Parties state:

1. On August 25, 2022, the Court issued an order scheduling a bench trial for Monday, November 7, 2022 and directing the Parties to proceed with all deliberate speed in completing discovery.
2. The trial is currently scheduled to begin the day before Election Day.
3. Given the volume of the evidence, the complexity of the issues, and the importance of the claims, the Parties agree that they will need at least four days to fully present the case at trial.

4. Accordingly, under the current schedule, the trial would likely extend to Election Day.

5. As discovery has progressed, it has become clear that certain witnesses the Parties anticipate calling at trial will have election-related responsibilities on or around Election Day. The Parties anticipate that the current trial setting would cause unique hardship to many anticipated witnesses.

6. In addition, the Parties themselves have duties and responsibilities related to the November 8, 2022 elections that further compromise their ability to adequately prepare for a multi-day trial at this time.

7. Should the Court grant this Motion continuing the trial, the Parties jointly request that the Court enter a scheduling order setting forth the following deadlines:

Close of Discovery:	January 6, 2023
Motions for Summary Judgment:	January 18, 2023
Motions in Limine:	January 30, 2023
Witness Lists:	February 20, 2023
Exhibit Lists:	February 27, 2023
Start of Trial:	March 13, 2023

8. The Parties have conferred with the Court's staff regarding the Court's forthcoming docket availability and understand that the Court has an available trial date on March 13, 2023.

9. Therefore, the Parties jointly request the bench trial be continued to begin on March 13, 2023, and to last approximately four days.

WHEREFORE, the Parties respectfully request the Court to continue the scheduled bench trial to begin March 13, 2023; that the Court set aside four days for a full trial of the issues; and that the Court enter a scheduling order pursuant to the Parties' agreed proposed deadlines.

Respectfully submitted,

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**Admitted pro hac vice*

***Pro hac vice applications forthcoming*

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the parties.

/s/ Alexander T. Jones