

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

ALABAMA LEGISLATIVE)	
BLACK CAUCUS, et al.,)	
)	
Plaintiffs,)	
)	CASE NO. 2:12-CV-691
v.)	(Three-Judge Court)
)	
THE STATE OF ALABAMA, et al.,)	
)	
Defendants.)	
_____)	
)	
ALABAMA DEMOCRATIC)	
CONFERENCE, et al.,)	
)	
Plaintiffs,)	
)	CASE NO. 2:12-CV-1081
v.)	(Three-Judge Court)
)	
THE STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

ORDER

On August 28, 2015, the court ordered the Alabama Legislative Black Caucus and Alabama Democratic Conference plaintiffs to file, separately or jointly, a new statewide redistricting plan that complies with the Reapportionment Committee Guidelines adopted by the Alabama Legislature and with other enumerated requirements. (Doc. # 283.) On September 25, 2015, the Alabama Legislative Black

Caucus and Alabama Democratic Conference plaintiffs each filed a plan in response to the court's order. (Docs. # 286–87.)

On September 29, 2015, the state defendants filed a Motion to Amend the Briefing Schedule, for Leave to Conduct Limited Discovery and to Shorten Time for Discovery Responses. (Doc. # 288.) The Alabama Legislative Black Caucus plaintiffs filed an Opposition to Defendants' Motion to Amend Briefing Schedule in order to Conduct Additional Discovery (Doc. # 289), and the Alabama Democratic Conference plaintiffs filed a Response to Defendants' Motion to Amend the Briefing Schedule. (Doc. # 290.) The state defendants filed a Reply in Support of Their Motion to Amend the Briefing Schedule, for Leave to Conduct Limited Discovery, etc. (Doc. # 292.)

In their motion, the state defendants request a three-week extension of the October 23, 2015 deadline to file their response to the plaintiffs' plans. They also move for leave to conduct limited discovery concerning the new plans in order to propound interrogatories to both plaintiffs and requests for production of documents to the Alabama Democratic Conference plaintiffs. The state defendants also move the court to shorten the time for the plaintiffs to respond to their discovery requests to October 26, 2015. The Alabama Legislative Black Caucus plaintiffs oppose the motion on all grounds. The Alabama Democratic Conference plaintiffs oppose a three-week extension in favor of a shorter extension and also oppose the state defendants' request to propound interrogatories. They also contend that they have

provided the information and documents requested by the state defendants in Nos. 14 and 15. The Alabama Democratic Conference Plaintiffs further contend that they obtained the information requested in No. 16 from the State and that this information is, therefore, equally available to the state defendants. Finally, they assert that they have submitted their plans to the State Reapportionment Office requesting it to generate the information requested in No. 17. In their reply, the state defendants have indicated that, if they are able to obtain the requested information from the Reapportionment Office based upon the Alabama Democratic Conference plaintiffs' submission of their plans to that office, then their discovery requests would include only the proposed interrogatories and not the requests for production of documents.

Based upon careful consideration of all of the arguments and grounds offered in support of and in opposition to the state defendants' motion, it is ORDERED that the state defendants' Motion to Amend the Briefing Schedule, for Leave to Conduct Limited Discovery and to Shorten Time for Discovery Responses, filed September 29, 2015 (Doc. # 288) is GRANTED in part and DENIED in part:

(1) The motion to amend the briefing schedule is GRANTED and the deadline for the state defendants to file their response to the plaintiffs' plans is EXTENDED from October 23, 2015, to and including **November 13, 2015**.

(2) The motion for leave to conduct limited discovery is DENIED as to the state defendants' request to propound interrogatories because they are irrelevant and/or improperly call for legal conclusions.

(3) The motion for leave to conduct limited discovery is DENIED without prejudice as to the state defendants' motion to request production of documents from the Alabama Democratic Conference plaintiffs. The denial is without prejudice to permit the state defendants to renew their motion if they are unable to obtain expeditiously the requested information from the State Reapportionment Office.

(4) The motion to shorten the time for discovery responses is DENIED as moot.

DONE this 2nd day of October, 2015.

/s/ William H. Pryor Jr.
UNITED STATES CIRCUIT JUDGE
PRESIDING

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

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE