

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

ALABAMA LEGISLATIVE)	
BLACK CAUCUS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	CASE NO. 2:12-CV-691
v.)	(Three-Judge Court)
)	
THE STATE OF ALABAMA, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	
)	
DEMETRIUS NEWTON, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	CASE NO. 2:12-CV-1081
v.)	(Three-Judge Court)
)	
THE STATE OF ALABAMA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the three-judge court is the Statement of the State Defendants Regarding Further Proceedings (Doc. # 41), filed in Alabama Legislative Black Caucus v. Alabama, no. 2:12-cv-691 (“ALBC”). In that statement, Defendants move for a stay of the parties’ Rule 26 obligations in ALBC to confer, develop a discovery plan, and make initial disclosures. See Fed. R. Civ. P. 26(a) & (f). As grounds, Defendants assert that the recently filed Newton v. Alabama action, no. 2:12-cv-1084

(“Newton”), “should be put in the same procedural posture, and the cases should proceed together.” (Doc. # 41 ¶ 3.) Defendants further represent that Plaintiffs in ALBC do not object to staying temporarily the operation of Rule 26.

Subsequent to Defendants’ filing of the motion to stay, the three-judge court consolidated the ALBC and Newton actions, pursuant to Federal Rule of Civil Procedure 42(a)(2). (Doc. # 42.) Additionally, the three-judge court entered a Memorandum Opinion and Order (Doc. # 53), allowing Plaintiffs in ALBC to file an Amended Complaint as to Count 3 within 21 days of the date of that Order.

For good cause shown and based upon the consolidation of these actions, it is ORDERED that Defendants’ motion to stay (Doc. # 41) is GRANTED, and that the parties’ Rule 26 obligations in ALBC are STAYED until further order of the court. This stay shall accommodate the filing of an Amended Complaint in ALBC, if one is filed, and the responses to it.

DONE this 27th day of December, 2012.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE
FOR THE COURT