

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

COAKLEY PENDERGRASS et al.,

Plaintiffs,

v.

BRAD RAFFENSPERGER et al.,

Defendants.

CIVIL ACTION FILE

No. 1:21-CV-05339-SCJ

ORDER

This matter appears before the Court in relation to Plaintiffs' Objections to Defendants' List of Witnesses and Exhibits. Doc. No. [56]. Plaintiffs state that even though Defendants timely disclosed that they intend to call Lynn Bailey, Gina Wright, and Dr. John Alford as expert witnesses exhibits at the upcoming preliminary injunction hearing, "Defendants filed no expert reports in connection with their lists of witnesses and exhibits." Id. at 2. Plaintiffs further contend that Defendants' failure to timely file expert reports on behalf of Ms. Bailey, Ms. Wright, and Dr. Alford in advance of the Court's deadline to provide lists of witnesses "runs afoul of Federal Rule of Civil Procedure 26(a)(2)(B)." Id.

Thus, Plaintiffs object to Defendants calling these three individuals as experts for the preliminary injunction hearing. Id. at 4. Similarly, Plaintiffs move to strike these individuals from the witness list and to preclude their expert testimonies. Id. Alternatively, Plaintiffs request that Defendants submit expert reports by the three proposed witnesses by 12:00 p.m. (EST) on Friday, February 4, 2022. Id.

At this time, the Court does not rule on striking or excluding the witnesses discussed above. However, the Court will grant Plaintiffs' alternative request as to the filing of expert reports. Accordingly, the Court **ORDERS** Defendants to file on the docket expert reports by Lynn Bailey, Gina Wright, and Dr. John Alford by no later than **12:00 p.m. (EST) on Friday, February 4, 2022.**

IT IS SO ORDERED this 3rd day of February, 2022.



HONORABLE STEVE C. JONES
UNITED STATES DISTRICT JUDGE