

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:23-CV-193-D

RODNEY D. PIERCE and )  
MOSES MATTHEWS, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
THE NORTH CAROLINA STATE )  
BOARD OF ELECTIONS, et al., )  
 )  
Defendants. )

**SCHEDULING ORDER**

On July 1, 2024, the parties filed proposed scheduling orders [D.E. 80]. The proposed dates include dates that have already passed. The parties will conduct discovery in this matter in accordance with the Federal Rules of Civil Procedure. Unless otherwise modified by this court, the parties are ORDERED to comply with the following critical deadlines:

1. The parties shall conduct a Rule 26(f) conference by July 8, 2024;
2. Rule 26 initial disclosures are due by July 12, 2024;
3. Plaintiffs' expert disclosures and reports are due by July 16, 2024;
4. Defendants' expert disclosures and reports are due by August 16, 2024;
5. Plaintiffs' rebuttal expert reports are due by August 30, 2024;
6. Defendants' rebuttal report for any new experts disclosed by plaintiffs is due by September 13, 2024;
7. The parties shall complete expert depositions by September 30, 2024;
8. The parties shall complete all discovery by October 4, 2024;
9. All potentially dispositive motions and motions in limine, if any, shall be filed by October 18, 2024;


10. The parties shall respond to dispositive motions and motions in limine, if any, by October 28, 2024;
11. The parties shall reply to dispositive motions and motions in limine, if any, by November 4, 2024;
12. The parties shall exchange pretrial disclosures required under Federal Rule of Civil Procedure 26(a)(3) and the Local Rules, and deposition designations, if any, by November 22, 2024;
13. The parties shall exchange any objections listed in Federal Rule of Civil Procedure 26(a)(3), and counter deposition designations, if any, by December 11, 2024;
14. The final pretrial order shall be filed by December 20, 2024;
15. The parties' RPV experts' supplemental reports with data from the November 2024 election are due by January 9, 2025;
16. Rebuttals to the parties' RPV experts' supplemental reports are due by January 16, 2025;
17. The parties shall complete supplemental depositions on the RPV experts' supplemental reports (limit three hours) by January 24, 2025.
18. The final pretrial conference shall be the week of January 27, 2025.
19. The trial shall begin February 3, 2025, to last no more than five days.
20. The parties shall file proposed findings of fact and conclusions of law within three weeks after conclusion of the trial.

Any party who makes an appearance after this scheduling order has been entered shall be required to confer with opposing counsel within twenty days after the party's appearance in the case. Such party will be bound by the discovery provisions contained in this order unless the party petitions the court by motion to amend this order.

In addition, motions to join additional parties and to amend pleadings must be made promptly after the information giving rise to the motion becomes known to the party or counsel. Any such motion filed after July 16, 2024, must meet the standards of Fed. R. Civ. P. 15 and 16.

Finally, the parties are reminded that, on request, this court will assist with settlement negotiations or other ADR by making available a judge other than the trial judge to explore possibilities.

SO ORDERED. This 2 day of July, 2024.

  
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JAMES C. DEVER III  
United States District Judge