

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

KAREN WOODARD, ET AL.

CIVIL ACTION

VERSUS

NO: 03-2098

JAMES ANDRUS, ET AL.

ORDER

In accordance with Judge Wilkinson's recent Orders establishing a briefing schedule and directing plaintiffs to resubmit their motion for class certification (R. Docs. 404, 405), plaintiffs are hereby ORDERED to file their motion for class certification by 2:00 p.m. on MONDAY, NOVEMBER 16, 2009.

In addition, on January 15 of this year, the Court issued an Order addressing a number of cross-motions for summary judgment. (R. Doc. 360.) In this Order, the Court denied plaintiffs' motions, but found that additional briefing was necessary before defendants' motions could be ruled upon. It therefore ordered supplemental briefing on the issue of whether the clerks of court in the relevant Louisiana parishes provided the plaintiffs with constitutionally adequate notice. The briefing schedule was continued and new dates set, but the parties appear to have focused upon settlement negotiations instead of briefing the

issue. The memoranda that the Court ordered the parties to submit were never filed.

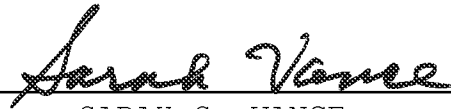
Accordingly, IT IS ORDERED that the defendants shall submit no later than 2:00 p.m. on MONDAY, NOVEMBER 16, 2009, a supplemental memorandum addressing whether constitutionally adequate notice was provided by the clerks. The memorandum shall be divided into sections corresponding to each of the seven clerks of court whose actions are currently at issue. Each section shall refer to specific evidence, either currently in the record or attached to the supplemental memorandum, that bears on what notice was provided to the plaintiffs and whether that notice was sufficient under the standard described in *Dusenbery v. United States*, 534 U.S. 161 (2002), and related cases. The memorandum shall also assess whether summary judgment is appropriate in light of the legal standards discussed in the Court's Order of January 15, 2009, and the evidence on record. The memorandum shall not exceed thirty pages, exclusive of any pages containing a table of contents or a table of authorities.

IT IS FURTHER ORDERED that the plaintiffs shall submit no later than 2:00 p.m. on MONDAY, NOVEMBER 23, 2009, a memorandum of not more than thirty pages in response to the defendants' supplemental memorandum. Counsel for Jon Gegenheimer shall work with counsel for the other clerks to integrate the separate sections into a single memorandum.

IT IS FURTHER ORDERED that the defendants may file a reply memorandum no later than 5:00 p.m. on TUESDAY, DECEMBER 1, 2009.

The Court's Case Manager will hold a conference by telephone at 11:00 a.m. on TUESDAY, NOVEMBER 17, 2009 to establish the remaining dates for this matter.

New Orleans, Louisiana, this 5th day of November, 2009.

A handwritten signature in cursive script that reads "Sarah S. Vance". The signature is written in black ink and is positioned above a horizontal line.

SARAH S. VANCE  
UNITED STATES DISTRICT JUDGE