

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN STATE A. PHILIP RANDOLPH
INSTITUTE, MARY LANSDOWN, ERIN
COMARTIN, DION WILLIAMS and
COMMON CAUSE,

Case No. 16-cv-11844

Plaintiffs,

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

v.

RUTH JOHNSON, in her official capacity
as Michigan Secretary of State,

UNITED STATES MAGISTRATE JUDGE
MONA K. MAJZOUB

Defendant.

**ORDER AMENDING SCHEDULING ORDER [99] AND RESCINDING REFERRAL OF
DEFENDANT'S MOTION TO STRIKE AFFIDAVITS [113, 116]¹**

The Court held oral argument on the Defendant's Motion for Summary Judgment on January 16, 2018. *See* Dkt. No. 104. The Defendant moved to strike certain affidavits filed in support of the Plaintiffs' Response to the Defendant's summary judgment motion. *See* Dkt. No. 113. The Court referred the Defendant's motion to strike to Magistrate Judge Mona Majzoub, but now rescinds this referral. *See* Dkt. No. 116.

¹ Some requirements in this Order are different from those discussed in the January 16, 2018 status conference. If this is problematic, the Court will hold a phone conference to resolve any issues.

Also on January 16, 2018, the Court held a status conference in this matter. *See* Dkt. No. 121. As decided in the conference, the Court will grant the parties additional time to prepare for trial and will allow the parties to file written submissions for trial in lieu of presenting witnesses. The Court will, however, require that the parties make opening statements and present closing arguments. The parties will make opening statements prior to the Plaintiffs' first Trial Submission and will present closing arguments after the Plaintiffs file the Reply in Support of their Trial Submission. In addition, if the parties are unable to resolve any objections to evidence by the time they file the Final Joint Pretrial Order, the Court will hold oral argument on these objections.

The parties should include in the Final Joint Pretrial Order proposed dates for opening statements, closing arguments, and oral argument on any objections to evidence, or should be prepared to discuss potential dates at the Final Pretrial Conference.

Based on the above, the Court will amend the Scheduling Order [99] as follows:

Final Joint Pretrial Order Due:	February 9, 2018
Final Pretrial Conference:	February 22, 2018 at 2:00 p.m.
Plaintiffs' Trial Submission Due:	March 15, 2018
Defendant's Response to Plaintiffs' Trial Submission Due:	March 29, 2018

Plaintiffs' Reply in Support
Trial Submission Due:

April 13, 2018

Each party's first trial submission may not exceed fifteen (15) pages, and the Plaintiffs' Reply Trial Submission may not exceed five (5) pages.²

IT IS SO ORDERED.

Dated: January 17, 2018

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 17, 2018, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk

² Trial submissions need only include arguments on the law. Evidence, including deposition transcripts and expert reports, may be added to the trial submissions as attachments.