

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

**WEBSTER COUNTY, MISSISSIPPI BRANCH
OF THE NAACP and CHERRAYE OATS,
on behalf of themselves and all the others similarly situated** **PLAINTIFF**

VS. **CIVIL ACTION NO.: 3:11cv27-MPM-JMV**

**WEBSTER COUNTY, MISSISSIPPI BOARD OF
SUPERVISORS; WEBSTER COUNTY, MISSISSIPPI
DEMOCRATIC PARTY EXECUTIVE COMMITTEE;
WEBSTER COUNTY, MISSISSIPPI REPUBLICAN
PARTY EXECUTIVE COMMITTEE; WEBSTER COUNTY,
MISSISSIPPI BOARD OF ELECTION COMMISSIONERS;
and DEBORAH HOOD NEAL,
in her official capacity as Circuit Clerk** **DEFENDANTS**

and

**JIM HOOD, ATTORNEY GENERAL FOR THE STATE OF
MISSISSIPPI, *EX REL.* THE STATE OF MISSISSIPPI** **INTERVENOR**

SCHEDULING ORDER

This matter is before the court following a status conference held on December 21, 2012. The parties have jointly proposed to the court, and the court accepts, the following as related to scheduling of certain matters herein:

1. Defendants' motion to dismiss for mootness will be decided prior to a determination on plaintiff's motion to amend.
2. The pending motion to dismiss will not be decided until the earlier of (1) a favorable decision on plaintiffs' motion for leave to conduct mootness related discovery and the conclusion of that discovery or (2) a denial of said motion for leave to conduct such discovery.
3. Plaintiff shall file its motion for leave to conduct mootness related discovery by December 28, 2012, with the response due seven (7) days thereafter and the reply three (3) days following.
4. Within fourteen (14) days of the date by which both (a) Defendant's motion to dismiss

as moot has been denied (if such event shall occur) and (b) the court has ruled on plaintiff's motion for leave to amend, the defendant shall file its 12(b)(6) motions, if any.

Further, the court has advised the parties that the briefs on the issue of leave to conduct mootness related discovery shall address the necessity of expert witness designations as well as the volume and type of discovery to occur, including the time frame for same.

This, the 27th day of December 2012.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE