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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Mi Familia Vota; Arizona Coalition for
Change; Living United for Change in
Arizona; and League of Conservation
Voters, Inc. d/b/a Chispa AZ,

Plaintiffs,

and

DSCC and DCCC,

Plaintiff-Intervenors,

v.

Adrian Fontes, in his official capacity as
Arizona Secretary of State; et al.,

Defendants,

and

RNC and NRSC,

Defendant-Intervenors.

Case No. CV-21-01423-PHX-DWL

**JOINT REPORT REGARDING THE
POST-FACT DISCOVERY
SCHEDULE**

1 By this Court's Order dated March 29, 2024, fact discovery closed on November 1,
2 2024 (ECF No. 290).

3 The Court's Order requires the Parties to "file a joint report setting forth their
4 respective positions on deadlines for the disclosure of final expert reports, expert
5 depositions, dispositive motions, *Daubert* motions, and settlement discussions" within
6 fourteen days of the close of fact discovery. *Id.*

7 Plaintiffs Mi Familia Vota, Arizona Coalition for Change ("AZC4C"), Living United
8 for Change in Arizona ("LUCHA"), League of Conservation Voters, Inc. d/b/a Chispa AZ,
9 Defendant Kris Mayes, in her official capacity as Arizona Attorney General, Intervenor
10 Plaintiffs Democratic Congressional Campaign Committee and Democratic Senatorial
11 Campaign Committee, and Intervenor Defendants National Republican Senatorial
12 Committee and Republican National Committee, by and through undersigned counsel,
13 hereby jointly propose the following schedule:¹

- 14 • That Plaintiffs (as the parties with the burden of proof on their affirmative
15 claims) will provide full and complete expert disclosures, as required by Rule
16 26(a)(2)(A)-(C) of the Federal Rules of Civil Procedure, no later than Friday,
17 February 28, 2025.
- 18 • That any participating non-nominal Defendants (not having the burden of
19 proof on Plaintiffs' affirmative claims) will provide full and complete expert
20 disclosures, as required by Rule 26(a)(2)(A)-(C) of the Federal Rules of Civil
21 Procedure, no later than Tuesday, April 29, 2025.
- 22 • That Plaintiffs (as the parties with the burden of proof on their affirmative
23 claims) will complete rebuttal expert disclosures, if any, by Friday, June 13,
24

25
26 ¹ The remaining defendants take the position that they are nominal, results-only parties and
27 thus take no position on this proposed schedule. However, because this Court's Order
28 requests that "the parties" file this joint report, these remaining nominal defendants are
signatories hereto. But by being signatories, these remaining nominal defendants do not
waive their nominal status, which is expressly reserved.

2025. Rebuttal experts shall be limited to responding to opinions stated by Defendants' experts.

- That all expert depositions shall be completed by Tuesday, August 12, 2025. All expert depositions must be scheduled to commence at least five working days before this deadline. An expert deposition started five days before the deadline may continue up until the deadline, as necessary.
- That any motion challenging expert testimony must be filed by Thursday, September 11, 2025.
- That summary judgment briefing will be conducted according to the following schedule:
 - Moving Briefs shall be filed by Monday, October 13, 2025.
 - Responding Briefs shall be filed by Wednesday, November 12, 2025.
 - Reply Briefs shall be filed by Monday, December 1, 2025.
- That good faith settlement talks will occur by Monday, December 15, 2025. Because those Defendants adopting a nominal party status may necessarily need to participate in those settlement talks, a Defendant's participation in those settlement talks will not be construed as a waiver of any nominal party status that participating Defendant may assert.
- That Plaintiffs shall notify the Court that the parties are ready for scheduling a Final Pretrial Conference pursuant to Rule 16(e) of the Federal Rule of Civil Procedure. Plaintiffs shall file and serve this notice by Monday, October 20, 2025, if no dispositive motions were filed by October 13, 2025. If one or more dispositive motions were filed, Plaintiffs shall file and serve such notice within seven days after resolution of the dispositive motions.
- That the non-nominal Parties participating in this litigation will file 26(a)(3) disclosures by:
 - Wednesday, November 12, 2025, if no dispositive motions were filed by October 13, 2025, or

- If one or more dispositive motions were filed, 30 days after a decision on dispositive motions by the Court.

Dated: November 15, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2024, a copy of Joint Motion to Set the Post-Fact Discovery Schedule was filed electronically with the Arizona District Court Clerk's Office using the CM/ECF System for filing, which will provide a Notice of Electronic Filing to all CM/ECF registrants.

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