

*COMMONWEALTH COURT OF PENNSYLVANIA*

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**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

Viviette Applewhite; Wilola  
 Shinholster Lee; Grover  
 Freeland; Gloria Cuttino;  
 Nadine Marsh; Dorothy  
 Barksdale; Bea Bookler;  
 Joyce Block; Henrietta Kay  
 Dickerson; Devra Mirel ("Asher")  
 Schor; the League of Women Voters  
 of Pennsylvania; National Association  
 for the Advancement of Colored People,  
 Pennsylvania State Conference;  
 Homeless Advocacy Project,  
 Petitioners

v.

No. 330 M.D. 2012

The Commonwealth of Pennsylvania;  
 Thomas W. Corbett, in his capacity  
 as Governor; Carole Aichele, in her  
 capacity as Secretary of the  
 Commonwealth,  
 Respondents

**SCHEDULING ORDER I**

**AND NOW**, this 25<sup>th</sup> day of May, 2012, after status conference on May 24, 2012, it is **ORDERED** and **DECREED** as follows:

1. **Hearing.** Hearing on Petitioners' request for Preliminary Injunction shall begin at 10:00 a.m. on Wednesday, July 25, 2012, in Courtroom 3002, third floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania. Petitioners shall arrange for a court reporter to be present throughout the hearing, which shall continue until completed in an estimated five to seven business days. Subject to the availability of witnesses, the

Court anticipates delayed start times on Mondays, and early recesses on Fridays. Otherwise, the parties should be ready to begin by 9:00 a.m. and end around 3:00 p.m. on most hearing days.

**2. Briefs.** Pre-hearing briefs shall be filed and served by the close of business on Wednesday, July 18, 2012. The briefs shall contain legal argument pertinent to the burden of proof for preliminary injunctive relief. In addition, except to the extent addressed elsewhere in this Order regarding expert reports, the pre-hearing briefs shall contain other information required by Pa. R.C.P. No. 212.2, and the parties may be subject to relief set forth in that Rule.

Post-hearing briefs may be filed within five calendar days of the close of evidence. The Court will not be making detailed findings of fact and conclusions of law in disposing of the request for preliminary injunction; rather, it will enter a decision addressing the elements of preliminary injunctive relief.

**3. Discovery.** Respondents shall use their best efforts to produce for Petitioners by the close of business on Friday, June 1, 2012, the requested databases from the Department of Health, Department of State, Bureau of Elections, and PennDOT in Excel format.

Respondents shall file objections to outstanding discovery requests by the close of business on Friday, June 1, 2012.

Unless the parties agree in writing on a different arrangement, any party wishing to present expert testimony at the hearing shall supply to the Court and opposing counsel a written, signed report from the witness(es) consistent with

the substantive requirements of Pa. R.C.P. No. 4003.5, no less than 10 calendar days before the anticipated date that the witness will testify. The parties may be subject to relief set forth in that Rule.



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ROBERT SIMPSON, Judge