

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 III

AND NOW, this 22nd day of January, 2013, after conferences with counsel, it is **ORDERED** and **DECREED** as follows:

1. **Pleadings.** Pleadings shall be closed within 60 days of the exit date of this order, unless the deadline is extended for cause shown.

2. **Discovery.** Discovery shall be concluded 30 days before the date set for trial on the Permanent Injunction, unless the deadline is extended for cause shown.

3. Preliminary Injunction. Any motion to continue or modify the preliminary injunction entered October 2, 2012, must be filed by February 8, 2013. Response must be filed by February 13, 2013.

The Court prefers that the motion be decided on a stipulated record which shall include at least the following: 1) current figures for PennDOT and DOS photo ID cards issued since the last hearing; and 2) record from the earlier hearings by reference. It shall not be necessary for the parties to re-submit evidence previously received. Evidence not previously received shall be filed with the Court by February 28, 2013.

Given the extensive prior hearings and need to resolve preliminary injunction issues in sufficient time to allow any appeals to be decided before the next election, further hearing will be granted only upon cause shown. It is the intent of the Court to try to resolve any preliminary injunction issues by March 21, 2013.

4. Trial on Permanent Injunction. Trial shall begin at 10:00 a.m. on Monday, July 15, 2013, in Courtroom 3001, third floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania. Petitioners shall arrange for a court reporter to be present throughout the trial. This schedule is dependent on final approval by the assigned trial judge.

5. Briefs. Pre-trial briefs shall be filed and served by 4:30 p.m. on Monday, June 17, 2013. The pre-trial briefs shall contain information required by Pa. R.C.P. No. 212.2, and shall include as an attachment a signed report from any proposed expert witness consistent with the substantive requirements of Pa. R.C.P.

No. 4003.5 The parties may be subject to consequences for failure to comply with those Rules.

Post-trial briefs with proposed findings of fact and conclusions of law, together with record citations, shall be filed within 45 days of the close of the record.

6. Post-trial Practice. Post-trial practice shall be consistent with Pa. R.C.P. No. 227.1. Post-trial motions shall be decided by an *en banc* panel of the Court.



ROBERT SIMPSON, Judge

Certified from the Record

JAN 22 2013

And Order Exit