

STATE OF INDIANA) IN THE MONROE CIRCUIT COURT
) SS:
COUNTY OF MONROE) CAUSE NO. 53C06-2203-PL-000608

CITY OF BLOOMINGTON,)
)
 Plaintiff,)
)
 v.)
)
 CATHERINE SMITH, in her official capacity)
 as Monroe County Auditor,)
)
 Defendant.)

SECOND AMENDED JOINT CASE MANAGEMENT ORDER

Pursuant to the Joint Case Management Order entered on March 16, 2023—which authorizes the parties to extend the discovery and briefing deadlines by agreement—the parties submit this Second Amended Joint Case Management Order for approval. The amended order extends several deadlines in Section 2 due to discovery-related delays.

1. Parties and Representatives

A. CITY OF BLOOMINGTON, Plaintiff,

CATHERINE SMITH, in her official capacity as Monroe County Auditor,
Defendant,

STATE of INDIANA, Intervenor.

B. For Plaintiff:

Beth E. Cate, Corporation Counsel
Michael M. Rouker, City Attorney
Larry D. Allen, Assistant City Attorney
401 N. Morton St., Room 220
Bloomington, IN 47404

For Defendant:

Edward J. Cockerill, County Attorney
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Bloomington, IN 47404

For Intervenor:

Thomas M. Fisher, Solicitor General
James A. Barta, Deputy Solicitor General
Melinda R. Holmes, Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
Fifth Floor
302 West Washington Street
Indianapolis, IN 46204

2. **Pretrial Pleadings and Disclosures**

- A. The parties shall provide notice of all third party requests to opposing counsel on or before **March 28, 2023**.
- B. If the parties wish to object to third party requests, they shall object on or before **April 12, 2023**.
- C. Assuming no objections, third parties shall respond to requests on or before **May 12, 2023**.
- D. The parties shall depose witnesses on or before **August 11, 2023**.
- E. All discovery must be propounded on or before **August 11, 2023**. Any discovery deadlines may be extended upon agreement by the parties or for good cause.
- F. The parties agree to the following schedule for briefing cross-motions for summary judgment, unless extended by the parties or the court.
 - Defendant's and Intervenor's cross-motion for summary judgment, brief in support, and response to Plaintiff's Motion for Partial Summary Judgment: **September 8, 2023**.
 - Plaintiff's reply-response brief: **October 9, 2023**.
 - If necessary, Defendant's and Intervenor's reply briefs: **October 30, 2023**.
- G. Summary Judgment Hearing: **On or before December 10, 2023**.

Respectfully submitted,

By: /s/ Michael M. Rouker (with permission)
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Corporation Counsel
Michael M. Rouker, Attorney No. 28422-53
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By: /s/ James A. Barta
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Attorneys for Intervenor

APPROVED AND SO ORDERED THIS

June 29, 2023



Judge of the Monroe County Circuit Court

Distribution list attached

Distribution to:

Beth E. Cate
Michael M. Rouker
Larry Dean Allen
Counsel for Plaintiff

Edward J. Cockerill
Counsel for Defendant

Thomas M. Fisher
James A. Barta
Melinda R. Holmes
Counsel for Intervenor