

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

ACACIA WILLIAMS et al.,

Plaintiffs,

v.

CASE NO. 1:20cv67-RH-GRJ

RON DESANTIS et al.,

Defendants.

**ORDER DENYING THE RENEWED MOTION FOR A TEMPORARY
RESTRAINING ORDER, DENYING IN PART THE MOTION FOR
A PRELIMINARY INJUNCTION, AND SETTING A SCHEDULE**

The plaintiffs moved for a temporary restraining order or preliminary injunction. The order of March 17 denied a temporary restraining order and left pending the motion for a preliminary injunction. The plaintiffs have filed a second motion for temporary restraining order.

As set out in the March 17 order, a temporary restraining order or preliminary injunction cannot be entered when it would be adverse to the public interest. On the specific facts of this case, it would be adverse to the public interest to enter a temporary restraining order or preliminary injunction blocking the

Secretary of State and Supervisors of Elections from processing the results of the March 17 presidential primary in accordance with the governing Florida statutes. This order denies the second motion for a temporary restraining order and denies the motion for a preliminary injunction except to the extent that it applies to future elections. The order sets the schedule for further proceedings.

IT IS ORDERED:

1. The second motion for a temporary restraining order, ECF No. 16, is denied.

2. The motion for a preliminary injunction, ECF No. 4, is denied with respect to the March 17 presidential primary and remains pending with respect to future elections.

3. The deadline for the Federal Rule of Civil Procedure 26(f) attorney conference is April 6, 2020. At the conference, the attorneys must address the schedule for the remaining part of the preliminary-injunction motion, whether a hearing on that motion should be consolidated with the trial on the merits under Rule 65(a)(2), and the matters set out in Rules 16(b)(3)(A), 16(b)(3)(B), 16(c)(2), 26(f)(2), and 26(f)(3). Discovery may begin after the attorney conference or, if both sides agree, earlier.

4. All conferences, proceedings, and discovery should be conducted electronically or remotely, when possible, to comply with best practices during the national healthcare emergency.

5. The deadline to file the Rule 26(f) report is April 13. The report must address the schedule for the remaining part of the preliminary-injunction motion, whether a hearing on the motion should be consolidated with the trial on the merits, and the matters set out in Rules 16(b)(3)(A), 26(f)(2), and 26(f)(3). The report may address any other scheduling or case-management issue.

6. Unless a change is agreed to by all parties and set out in the Rule 26(f) report, or a change is ordered by the court, these are the deadlines for Rule 26 disclosures:

- (1) for 26(a)(1) disclosures, 14 days after the 26(f) attorney conference;
- (2) for 26(a)(2) disclosures, the deadlines set out in Rule 26(a)(2)(D);
- (3) for 26(a)(3) disclosures, the deadline set in an order for pretrial conference to be entered later or, if no such order is entered, the deadline set out in Rule 26(a)(3)(B).

7. The deadline for the defendants to respond to the remaining part of the preliminary-injunction motion, ECF No. 4, is extended to April 20, 2020.

8. Absent good cause set out in the 26(f) report, the discovery deadline will be June 5, 2020, and a consolidated hearing on the preliminary-injunction motion

will occur during the two-week period that begins on July 20, 2020. These dates will be moved *earlier* if all parties so request. The parties should not request a *delay* of these dates except for good cause. The national healthcare emergency is good cause only in the unlikely event that proceedings cannot be conducted in a manner consistent with best practices.

9. Based on the plaintiff Terriayna Spillman's notice of voluntary dismissal, ECF No. 17, the complaint is deemed amended to delete her claims. *See Perry v. Schumacher Grp. Of La.*, 891 F.3d 954 (11th Cir. 2018).

SO ORDERED on March 18, 2020.

s/Robert L. Hinkle
United States District Judge