

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:24-cv-00500-M-BM

UNITED SOVEREIGN AMERICANS, INC.,)	
and RICHARD YOST,)	
)	CONSENT MOTION TO STAY
Petitioners,)	THE PROVISIONS OF THE
v.)	ORDER FOR DISCOVERY
)	PLAN PENDING THE COURT'S
MERRICK GARLAND, IN HIS OFFICIAL)	RESOLUTION OF THE
CAPACITY AS ATTORNEY GENERAL OF)	RESPONDENTS' MOTIONS TO
THE UNITED STATES, et al.,)	DISMISS PETITIONER'S
)	PETITION
Respondents.)	

Merrick Garland, Attorney General of the United States (“Respondent”), by and through the United States Attorney for the Eastern District of North Carolina, with the consent of United Sovereign Americans, Inc., and Richard Yost (“Petitioners”), and the North Carolina State Board of Elections and Josh Stein, the Attorney General of North Carolina (“State Respondents”), moves the Court to stay its November 18, 2024 Order for Discovery Plan [D.E. 34], and in support show unto the Court:

RELEVANT BACKGROUND

1. On August 28, 2024, Petitioners filed the instant Petition for Relief in the Form of a Writ of Mandamus, which requested that the Court issue a writ of mandamus to compel Respondent and State Respondents to enforce provisions of the National Voter Registration Act and Help America Vote Act. Petition [D.E. 1].

2. On October 9, 2024, State Respondents filed a motion to dismiss the petition. Mot. to Dismiss [D.E. 27]; Mem. in Supp. [D.E. 28].

3. On November 15, 2024, Respondent filed a motion to dismiss the petition. Mot. to Dismiss [D.E. 32]; Mem. in Supp. [D.E. 33].

4. On November 18, 2024, the Court issued its Order for Discovery Plan, which required the parties to confer pursuant Rule 26(f) of the Federal Rules of Civil Procedure on a discovery plan no later than December 18, 2024, and submit the proposed discovery plan and exchange initial disclosures (unless a different time is set by the parties' stipulation, a court order, or if a party objects to the during the Rule 26 conference) within 14 days of the conference. Order for Discovery Plan [D.E. 34].

5. On December 2, 2024, the parties conferred via email regarding Respondent's intent to file a motion to stay the Court's Order for Discovery Plan [D.E. 34]. The parties agreed that staying the Order for Discovery Plan [D.E. 34], which includes the requirement that the parties meet and confer under Rule 26(f) and the filing of a proposed discovery plan, until the Court resolves the pending motions to dismiss would likely promote judicial efficiency as resolution of the pending motions may result in the dismissal of some respondents and/or cull the disputed issues.

WHEREFORE, Respondent, with the consent of Petitioners and State Respondents, respectfully requests the Court enter an order staying the Order for Discovery Plan [D.E. 34] until the Court resolves the pending motions to dismiss.

Respectfully submitted this 5th day of December 2024.

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CERTIFICATE OF SERVICE

This is to certify that undersigned counsel has on this 5th day of December 2024, served a copy of the foregoing upon the below-listed party by electronically filing the same via the District Court's CM/ECF Document Filing System:

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No. 5:24-cv-00500-M-BM

UNITED SOVEREIGN AMERICANS, INC.,))	
and RICHARD YOST,))	
)	
Petitioners,))	
)	
v.))	ORDER
)	
MERRICK GARLAND, IN HIS OFFICAL))	
CAPACITY AS ATTORNEY GENERAL OF))	
THE UNITED STATES, et al.,))	
)	
Respondents.))	

This matter comes before the Court upon motion of Respondent Merrick Garland, the Attorney General of the United States, with the consent of Petitioners and the State Respondents, for a stay of the Court’s Order for Discovery Plan [D.E. 34]. For good cause having been shown, it is hereby ORDERED that the Court’s Order for Discovery Plan [D.E. 34] is hereby stayed until the Court resolves the pending motions to dismiss.

So ORDERED THIS ____ day of December 2024.

RICHARD E. MYERS II
Chief United States District Judge