

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOHN F. KNIGHT, JR., and ALEASE S. SIMS, et al., individually and on behalf of others similarly situated, *

Plaintiffs and Plaintiffs-Intervenors, *

UNITED STATES OF AMERICA, *

Plaintiff-Intervenor, *

v. *

Civil Action No.
2:83-cv-1676-HLM

THE STATE OF ALABAMA, et al., *

Defendants. *

**KNIGHT-SIMS PLAINTIFFS' MOTION FOR LEAVE TO SERVE
FIRST DISCOVERY REQUEST FOR
HEARING TO EXTEND THE TERM OF THE REMEDIAL DECREES**

Plaintiffs John F. Knight, Jr., and Alease S. Sims, et al., through undersigned counsel, move for leave immediately to serve the discovery request attached to this motion. As grounds for their motion, plaintiffs would show as follows:

1. This Court's order entered October 31, 2005, (Doc. 3363) requires parties filing objections to termination of the Remedial Decrees to propose a schedule for conducting discovery prior to a hearing on said objections. The responses to the objections and corresponding counter-proposed discovery schedules are not due until January 6, 2006.

2. Plaintiffs have proposed a ninety-day discovery schedule. By this motion, plaintiffs propose that the ninety days commence immediately, allowing service of the attached discovery

request. However, plaintiffs propose that the thirty-day period for responding to the discovery request not commence until January 6.

3. The object of this motion is to expedite the discovery needed to prepare for a prompt hearing by providing the parties now with the information and documents plaintiffs seek through discovery, so that the process of collecting the information can begin immediately. Among other things, prompt receipt of all the information requested may make it possible for plaintiffs' expert witnesses to be prepared for depositions within the ninety-day period, should any party be permitted to take their depositions.

WHEREFORE, plaintiffs pray that the Court will enter an order forthwith requiring the defendants immediately to accept service of the discovery request attached to this motion and requiring them to respond thereto no later than March 2, 2006.

Respectfully submitted November 30, 2005,

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CERTIFICATE OF SERVICE

I hereby certify that November 30, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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