

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HENRY HILL, et al.,

Plaintiffs,

Case No. 10-cv-14568

vs.

Hon. Mark A. Goldsmith

GRETCHEN WHITMER, et al.,

Defendants

PLAINTIFFS' MEMORANDUM REGARDING DISCOVERY

On October 31, 2019, the Court ordered parties to file memoranda setting forth their positions with respect to discovery on Plaintiffs' delay-in-resentencing claim, the Eighth Cause of Action in the Third Amended Complaint, Dkt. 298, PageID. 6708-09. (Dkt. 299). During the October 31, 2019 status conference, Defendants advised the Court that they intended to file dispositive motions seeking dismissal of the new claim within thirty days, and the Court has sought parties' views on whether the Court should order discovery to proceed on that claim before ruling on the dispositive motions.

Plaintiffs have no objection to the Court ruling first on Defendants' dispositive motions, before ordering discovery. However, if Defendants seek to introduce new evidence in those motions, by affidavit or otherwise, Plaintiffs reserve the right to seek discovery on that evidence.

Respectfully submitted,

Dated: November 1, 2019

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