

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

O. John Benisek, et al.,

Plaintiffs,

vs.

Linda H. Lamone, et al.,

Defendants.

Case No. 13-cv-3233

Three-Judge Court

LOCAL RULES 104.7 AND 104.8 CERTIFICATE OF COMPLIANCE

Pursuant to Local Rules 104.7 and 104.8, I certify that on January 19, 2017 at 5:30pm, counsel for Plaintiffs (Michael Kimberly) held a discovery conference with counsel for Defendants (Sarah Rice) regarding the attached motion to compel. The issues remaining for the Court's resolution are (1) whether Defendants have control over information in the possession and custody of the Maryland Department of Planning (DOP), Department of Legislative Services (DLS), individual members of the Governor's Redistricting Advisory Committee (GRAC), the office of former Governor Martin O'Malley, members of the General Assembly, and staffers that assisted the GRAC, and (2) whether the legislative privilege prevents Defendants from responding to discovery requests calling for information in the possession and custody of the same individuals and entities.

Dated: January 19, 2017

Respectfully submitted,

/s/ Michael B. Kimberly

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