

EXHIBIT C

Stein, Micah D.

From: Katz, Jennifer [jkatz@oag.state.md.us]
Sent: Tuesday, February 07, 2017 5:24 PM
To: Medlock, Stephen M.; Kimberly, Michael B.; Hughes, Paul W.; Webb, Brantley; Stein, Micah D.
Cc: Rice, Sarah
Subject: Benisek v. Lamone, discovery schedule

Counsel,

As we discussed on the phone today, on behalf of the non-party GRAC members and other legislators, the AG's Office will be filing a request for review by the 3-judge court, to be filed by the end of this week. In addition, in order to preserve Governor O'Malley's right to assert his legislative privilege, the AG's Office will be filing a short motion on his behalf, incorporating by reference arguments made on behalf of the GRAC members.

We understand your concerns about extending the discovery schedule and are sympathetic to them. We also agreed to your request for a compressed discovery schedule and do not see the need for a full extension of the discovery period. We hope to be able to reach a resolution and propose the following terms. We are available tomorrow to discuss.

We agree that if the pending motion to compel is resolved in your favor, including the issue of control, the Defendants will supplement all discovery responses for which the objection was made to the extent necessary to comply with the order, and reserve the right to ask for appropriate time to do so.

We agree to seek to extend the discovery period solely with respect to the non-party documents and depositions contemplated in Judge Bredar's order compelling compliance, and any motions practice required to resolve issues that arise with respect to those documents and depositions.

We agree to extend expert discovery for however long you deem necessary.

We do not agree to extend fact discovery for purposes of serving any new discovery requests or the issuance of new subpoenas.

We do not agree to extend the discovery period to allow for the filing of motions to compel raising issues related to the Defendants' discovery responses not already raised in your initial motion to compel, or any other matter you raise with us before February 10.

Below are dates supplied to us by non-parties on which they are available for deposition.

Senator Muse

Feb. 17
Feb. 24

Delegate Anderson

Feb. 13
Feb. 20
Feb. 27.

The earlier, the better for him – he can start as early as 8 a.m.

House Speaker Busch

Feb. 24, beginning at 10am

Senate President Miller

March 3, 1-6 p.m.

Jeanne Hitchcock

Feb. 22, all day

Any of the following days after 4pm:

Feb. 15

Feb. 21

Feb. 27-Mar. 1

Richard Stewart

Feb. 21

Feb. 16

March 1

Governor O'Malley

Feb. 22

Feb. 24

30(b)(6)

March 2

Best,
Jennifer

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