

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

BRIANNA BOE, <i>et al.</i>,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 2:22-cv-184-LCB
)	
STEVE MARSHALL, <i>et al.</i>,)	
)	
Defendants.)	

**EMERGENCY MOTION TO STAY
DISSEMINATION OF SEALED FINAL REPORT**

Come now James Esseks, Carl Charles, and LaTisha Faulks, and move this Court to stay the dissemination of the Sealed Final Report of Inquiry issued by the three-judge panel on October 3, 2023 until the affected attorneys and other parties have an opportunity to present to this Court arguments and authorities as to why the Sealed Final Report should not be disseminated to all of the parties and counsel in the underlying case, particularly to the Alabama Attorney General’s office. As grounds in support of this motion, movants state as follows:

1. The three-judge panel’s Sealed Final Report of Inquiry contains testimony and other evidence of privileged matter and other information protected by the work product doctrine. Some of this testimony and evidence was gathered by the panel under assurances that it would not be shared with the Alabama Attorney

General's office or other adverse parties. In fact, representatives of the attorney general's office were excluded from the hearings based upon an objection from counsel for the movants.

2. This Court's Order of October 4, 2023 (doc. 318) appears to direct that the panel's Sealed Final report will be shared with the Attorney General's office and other parties and counsel with interests directly adverse to the movants and other parties to the panel's inquiry.

3. Dissemination of the panel's Sealed Final Report to the Attorney General's office and other parties would be contrary to the panel's previous assurances and would be damaging and injurious to the movants and other parties involved in the inquiry.

4. Movants and others respectfully request that the panel's Sealed Final report not be disseminated to any counsel or parties until the movants have the opportunity to submit argument and authorities to this Court as to why such dissemination would be improper.

/s/ Barry A. Ragsdale
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CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

/s Barry A. Ragsdale

Of Counsel