

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

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

**McCOY AND ORR NOTICE OF ADOPTION
OF BRIEFS AND MOTION TO SCHEDULE PROCEEDINGS**

COME NOW Asaf Orr and Scott McCoy (the Movants) and move this Court to schedule a proceeding for each of them to make a statement to this Court as discussed at the hearing on November 2, 2023. The Movants also give notice here of their adoption of briefs filed by other parties on related matters. The Movants show the following:

1. This Court ordered briefing by Friday, November 10, 2023 (Doc. 349) as to whether the Panel Report of Final Inquiry should remain under seal. Rather than inundate this Court with additional briefs, the Movants adopt by reference the following filings: the “Memorandum of Law in Support of Maintaining the Seal on the Panel’s Report of Inquiry” filed by James Esseks, Carl Charles, and LaTisha Faulks (Doc. 359) and “Memorandum of Law in Support of Maintaining the Panel’s

Report of Inquiry Under Seal” filed by Jennifer Levi and Shannon Minter (Doc. 358). The Movants also adopt by reference here the Post-Hearing Brief (Doc. 356) filed by Melody Eagan and Jeffrey Doss.

2. At its November 2, 2023 hearing in this matter, the Court offered movants an opportunity to appear before the Court to make individual formal oral statements regarding their involvement in *Ladinsky v. Ivey*, 5:22-CV-447-LCB (N.D. Ala.), *Walker v. Marshall*, 5:22-CV-480-LCB (N.D. Ala.), and/or *Eknes-Tucker v. Ivey*, 2:22-CV-184-LCB (M.D. Ala.), and accept responsibility for the same. The Movants welcome the Court’s invitation and request that they be given such an opportunity.

3. This Court initially expressed an interest in possibly holding any such proceedings within a short time-frame. (Initially the Court mentioned a two-week timeframe after the November 2, 2023 hearing.) However, Mr. Orr, who lives and works in California, is not currently available due to pre-existing commitments except for early in the week of Thanksgiving, December 1 through 8, or the week of December 18, or at such other time thereafter as might be convenient to the Court. Each is willing to travel to Birmingham, Huntsville, or Montgomery.

4. Based on the discussions of these proceedings at this Court’s November 2, 2023 hearing, Movants Orr and McCoy understand that giving their formal statements will not waive their right to seek further proceedings before this Court consistent with due process.

WHEREFORE, the Movants adopt the briefs set forth above and ask the Court to set a date for the Movants to provide formal oral statements to the Court as described above.

Respectfully submitted this 10th day of November, 2023.

s/ Robert D. Segall

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CERTIFICATE OF SERVICE

I certify that on November 10, 2023, I filed the foregoing electronically with the Clerk of Court using the CM/ECF system, which will automatically serve all counsel of record.

/s/ Robert D. Segall

Of Counsel