

**UNITED STATES DISTRICT COURT
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.)	

ORDER

The Court addresses two outstanding issues: (1) the Respondents’ outstanding evidentiary submissions, and (2) Carl Charles’s Motion for Leave to Submit Additional Evidence (Doc. 464).

I. Deadline to File Written and Other Documentary Evidence

In its first show-cause order, the Court gave Respondents Melody Eagan, Jeffrey Doss, Scott McCoy, Jennifer Levi, Shannon Minter, James Esseks, Kathleen Hartnett, Michael Shortnacy, LaTisha Faulks, Asaf Orr, and Carl Charles a deadline of March 8, 2024 to submit any additional evidence they believed “necessary for the Court to determine [his or her] culpability or an appropriate sanction.” (Doc. 406 at 11). All Respondents timely moved to submit additional evidence, including supplemental declarations, supplemental testimony, expert testimony and declarations, and other documentary evidence. (Docs. 433, 434, 435, 436, 437, 438 & 439). The requests to submit expert testimony and declarations were denied, but

the Court granted leave to submit supplemental declarations, supplemental testimony, and certain documentary evidence. (Doc. 449).

Any additional written and documentary evidence that was authorized by that order but has not yet been filed, including any evidence docketed solely as exhibits to the Respondents' motions for leave to submit additional evidence, must be filed by **May 17, 2024**.

II. Carl Charles's Motion for Leave to Submit Additional Evidence (Doc. 464).

Moreover, nearly a month after the evidentiary deadline had passed, Carl Charles moved once more on April 5, 2024 for leave to submit additional evidence, this time a declaration from Lambda Legal's Chief Legal Officer, Jennifer C. Pizer, "regarding his reputation for honesty and integrity." (Doc. 464). In support of his motion, Charles writes that he "previously . . . requested that [he] be permitted to supplement the [first] motion if necessary," and explains that he hadn't contacted Ms. Pizer sooner because the relevant filings had been under seal when the first motion was filed. What his motion fails to mention, however, is that the request to supplement the first motion was denied: the Court would accept no further evidence after the March 8 deadline. (Doc. 449 at 7).

Notwithstanding this crucial omission—or the Court's earlier ruling—the Court will allow Mr. Charles to submit Ms. Pizer's declaration for the Court's consideration. Mr. Charles faces the gravest charge of misconduct, much of it indeed

concerning his honesty and integrity, and for this reason alone the Court will indulge him once more.

Carl Charles' Supplemental Motion for Leave to Submit Additional Evidence (Doc. 464) is therefore **GRANTED**.

DONE and **ORDERED** this May 10, 2024.

A handwritten signature in black ink, appearing to read "Liles C. Burke", written over a horizontal line.

LILES C. BURKE
UNITED STATES DISTRICT JUDGE