UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CAIR-FOUNDATION, INC. and CAIR-FLORIDA, INC.,

***Plaintiffs*,**

v.

Case No. 4:25-cv-00516-MW-MJF

RONALD DESANTIS, in his official capacity as Governor, State of Florida,

Defendant.

NINTH JOINT STATUS REPORT ON DISCOVERY

As required by this Court's January 29, 2026, Initial Scheduling Order, Doc. No. 30, ¶ (1)(b), counsel for all parties report the following progress on discovery since the last status report:

ESI

1. On October 8, 2026, the Parties filed a joint status report on ESI related discovery.
2. On October 20, 2026, the parties filed a Proposed Order Regarding the Protocol Governing Production of Documents and ESI. The parties moved for entry of same on October 27, and the Court adopted it on October 29.

Depositions

3. On October 8, 2026, Defendant filed his Opposition to Plaintiffs' Motion to Compel Deposition Testimony Withheld Under Deliberative Process Privilege. This dispute is now fully briefed and ripe for the Court's resolution.

4. On October 14, 2026, Defendant filed a Motion for Protective Order to prevent the depositions of witnesses that Plaintiffs had noticed for October 15 and 23. On October 28, 2026, Plaintiffs filed their Memorandum in Opposition to Defendant's Motion for Protective Order. This dispute is now fully briefed and ripe for the Court's resolution.

5. On October 19, 2026, Plaintiffs provided written objections to Defendant's 30(b)(6) deposition topics.

6. The parties are currently negotiating dates for the depositions of the respective expert witnesses.

Written Discovery

7. On October 13, 2026, Defendant responded to Plaintiff's September 21 letter and subsequent meet-and-confer about perceived deficiencies in his discovery responses, agreeing to supplement some but not all of those responses. Defendant did so October 20, serving Plaintiffs with amended discovery responses and an updated privilege log. On November 2, Plaintiff notified Defendant of continuing perceived deficiencies with these amended responses,

and Plaintiffs also identified other perceived deficiencies with the scope of Defendant's document searches. On November 6, Defendant agreed to conduct some additional searches.

8. On October 16, 2026, in response to Plaintiffs' subpoena to Defendant's expert witness, Defendant's counsel produced some but not all documents requested in the subpoena (producing nonprivileged material within the control of Defendant), resting on their objections to the other requested items. The parties have conferred several times since then over Defendant's objections but have reached an impasse. Plaintiffs reserve their right to move to compel production of these documents after they depose Defendant's expert witness.

9. Plaintiffs and Defendant have discussed a protective order since May 2026, soon after Defendant asserted privilege over certain discovery requests from Plaintiff. Defendant later produced the documents referenced (which were first outlined by a privilege log) without having an agreement between the parties over a protective order. Over the ensuing months, the parties exchanged proposed edits and conferred over a proposed protective order, which would allow both parties to designate certain discovery as confidential. As the parties told the Court in their Sixth Joint Status Report (Doc. No. 93), "Once the parties reach agreement and the Court enters the [protective] order, Plaintiffs will produce responsive documents that are not subject to the motion to

compel." On October 16, 2026, in response to Plaintiffs' request for an update on the draft confidentiality protective order that Plaintiffs provided to Defendant on September 17, Defendant's counsel stated that he did not currently have authorization to agree to it and would let Plaintiffs' counsel know if and when that changes. The next day, Plaintiffs' counsel responded that because the parties appear close to an agreement, Plaintiffs' counsel would wait to hear back from Defendant's counsel rather than file a motion for protective order with the Court. Defendant's counsel did not object to the parties continuing to work together on a consent protective order, given that Plaintiffs' counsel repeatedly asserted that certain confidential material would be produced once a protective order was in place. On November 3, 2026, Defendant's counsel emailed Plaintiffs' counsel a revised draft of the protective order for confidential documents, proposing additional edits. Plaintiffs' counsel responded the same day with additional proposed edits.

10. On October 26, 2026, the parties corresponded regarding the October 1 meet and confer regarding clarifications of Defendant's Requests for Admission and requests for a privilege log from Plaintiffs, but parties did not reach an agreement.

11. On October 29, 2026, Defendant notified Plaintiffs of perceived deficiencies with Plaintiffs' responses to Defendant's Interrogatories and Requests for

Admission. Plaintiffs responded on November 2 and served amended responses to some but not all of Defendant's First Interrogatories and Requests for Admission.

12. On October 30, 2026, in response to Plaintiffs' subpoena to produce documents directed to the employer of Defendant's expert witness, the employer produced responsive documents to Plaintiffs.

13. On November 4, 2026, Magistrate Judge Frank issued an order granting Defendant's motion to compel documents and holding that Plaintiffs' objections and privileges had been waived. Plaintiffs intend to file objections to that order.

14. On November 5, Defendant asked Plaintiffs to produce all documents subject to the order granting Defendant's motion to compel. Defendant also stated that he will no longer agree to a confidentiality protective order in light of the Court's decision, given that the order explained that responsive documents cannot be withheld on the condition that the parties agree to a protective order. DE116, at 31. Counsel for Defendant also stated that Plaintiffs' responses to certain interrogatories and requests for admission must be amended in light of the Order, given the overlap between the objections and privileges in those responses and the waived objections and privileges as explained in the Order. Plaintiffs have requested to confer with Defendant over these issues given that

they will be seeking review of the magistrate judge's decision. Counsel for Defendant has communicated that Defendant will stand on the holdings and requirements imposed by the discovery order.

15. On November 6, counsel for Defendant requested that "production of the responsive documents required by the Order" be made by Tuesday, November 10 and that amended responses to Defendant's requests for admission and interrogatories be provided by November 16. Plaintiffs have asked to meet and confer on these issues.

Respectfully submitted this 9th day of November 2026.

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