

IN THE SUPREME COURT)

Action No. 10 SSC 002)

Adam J. Horowitz, Leah Josephson,)
Christopher B. Lane, Chelsea Cook,)

Plaintiffs)

versus)

Andrew Phillips,)
Chairperson, Board of Elections,)
Hogan Medlin,)
Student Body President)
Defendants.)

ORDER

ORDER GRANTING DEFENDANTS' MOTION FOR SUBPOENA

Pursuant to III S.G.C. § 521, the Student Supreme Court of the University of North Carolina at Chapel Hill hereby orders the Board of Elections, the Union, and its Board of Directors, as entities organized under and governed by the Student Code, to grant DEFENDANTS unfettered access to any of the following:

1. All correspondence, electronic or otherwise, between the Board of Elections and UNC Department of Housing regarding the February 8, 2011 elections and UCommons referendum.
2. All correspondence, electronic or otherwise, between the Board of Elections and the Union regarding the February 8, 2011 elections and the UCommons referendum.
3. All correspondence, electronic or otherwise, between the Student Body President and the Union regarding the February 8, 2011 elections and the UCommons referendum.
4. The minutes, electronic or otherwise of all Board of Directors meetings from the 2010-2011 academic year.
5. All correspondence, electronic or otherwise, between the Union and Union staff regarding the UCommons referendum within the 2010-2011 academic year.
6. All correspondence, electronic or otherwise, between members of the Plaintiff regarding the February 8, 2011 election and the UCommons referendum.

This Order shall not be construed as requiring any party to reveal confidential information protected by local, state, or federal law.

Additionally, the Court DENIES Defendants' request in their subpoena for leave to "file another motion to subpoena in the event that, in the course of reviewing the documents above, it

uncovers the existence of a new documents not specifically covered by this motion to subpoena with whatever restrictions the Court finds to be appropriate.”¹

The Court’s Order granting leave to Defendants to file Motions for Subpoena prior to Saturday, February 12, 2011 at 9 pm included said provision solely as a protection to Defendants’ to mitigate any harm potentially caused to their “rights or remedies”, III S.G.C. § 507 (2009), from the Court granting Plaintiff’s request for an extension of time on the parties’ Briefs. That Order does not contemplate or authorize any further extension of requests to utilize the discovery process for either party past the Saturday, February 12, 2011 9 p.m. deadline.²

Done this 12th day of February 2011, at 7:35 p.m.

/s/Jessica E.H. Womack
Jessica E.H. Womack, C.J.
for the Court

¹ See Motion to Subpoena of Medlin and Phillips, *Horowitz et al. v. Medlin and Phillips*, 10 SSC 002, (2011).

² See Order Granting Plaintiff’s Second Motion for Extension of Time, *Horowitz et al. v. Medlin and Phillips*, 10 SSC 002, (2011).