UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
AT FRANKFORT

SAMANTHA WIGGINTON, *et al.*,	)	
	)	*Electronically Filed*
Plaintiff,	)	
v.	)	
	)	CIVIL ACTION NO. 3:26-cv-00035-CHB
	)	
COMMONWEALTH OF KENTUCKY, *et al.*	)	
	)	**FINANCE CABINET RESPONSE TO**
	)	**PLAINTIFFS' MOTION TO EXTEND**
	)	**PRELIMINARY INJUNCTION**
Defendants.	)	**DISCOVERY**

Defendant Finance and Administration Cabinet Secretary Holly McCoy Johnson, in her official capacity, by and through counsel, submits this response to Plaintiffs' Expedited Motion to Extend Preliminary Injunction Discovery and for Expedited Consideration (Doc. 117). As stated in the telephonic conference with the Magistrate Judge on September 29, 2026, the Finance and Administration Cabinet does not object to Plaintiffs' proposed extension of the deadline for preliminary injunction discovery to October 23, 2026. The Finance and Administration Cabinet further stated in the telephonic conference, and as noted in the Joint Status Report (Doc. 107) filed September 14, 2026, the Finance and Administration Cabinet previously provided to Plaintiffs records responsive to an open records request involving Kentucky State University. Such a production by the Finance and Administration Cabinet was done pursuant to the instruction provided by this Court during the September 3, 2026, Status Conference (Doc. 98). Following such a production to Plaintiffs, as again noted in the Joint Status Report (Doc. 107), two separate meet and confers occurred, during which Plaintiffs' counsel noted review was ongoing.

The Finance and Administration Cabinet Secretary's lack of objection to the extension motion so that Plaintiffs can pursue discovery from federal agencies and complete the deposition

of the Kentucky State University President does not mean that the Finance and Administration Cabinet believes Plaintiffs are entitled to additional discovery from Finance, though counsel will continue to engage in the meet and confer process with Plaintiffs' counsel, and those discussions are ongoing.

Respectfully submitted,

/s/ Shan Dutta
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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2026, I electronically filed the foregoing pleading via the Court's CM/ECF system, causing counsel of record to be served.

/s/ Shan J. Dutta
Shan J. Dutta