UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
FRANKFORT

CIVIL ACTION NO. 3:26-CV-00035-CHB-EBA

SAMANTHA WIGGINTON, *et al.*, PLAINTIFF,

V. **ORDER**

COMMONWEALTH OF KENTUCKY, *et al.*, DEFENDANTS.

*** *** *** ***

This matter is before the Court on the Motion of Speaker David W. Osborne for Leave to File a Position Statement as an *Amicus Curiae* and to attend the October 22, 2026, Discovery Conference. [R. 136]. Speaker Osborne explains that his position statement addresses a question left open by the parties' statements—whether legislative privilege applies. [*Id*. at pg. 2]. Further, Speaker Osborne argues that he is "well-placed to address the question," as "[l]egislative privilege is personal to each legislator, and Plaintiffs propose to examine the intent of individual members." [*Id*.]. The Court believes that the Speaker's statement and his attendance at the telephonic conference will be helpful in resolving the ongoing dispute. Therefore, having considered the matter, and being sufficiently advised,

IT IS ORDERED as follows:

1. The Speaker's motion for Leave to File his Position Statement, [R. 136], is **GRANTED**. The Clerk is **DIRECTED** to file the Speaker's position statement, [R. 136-1], into the record;
2. Counsel for the Speaker **MAY** attend the telephonic conference set for October 22, 2026, at 11:30 A.M., and may be heard at the Court's direction;
3. Speaker Osborne is not party to this action, and this Order confers no right to participate in

other proceedings without further leave of Court.

Signed October 21, 2026.

Signed By:
Edward B. Atkins EBA
United States Magistrate Judge