UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
(at Frankfort)

SAMANTHA WIGGINTON, et al., Plaintiffs, v. COMMONWEALTH OF KENTUCKY, et al., Defendants.	)	Civil Action No. 3:26-CV-035-CHB **ORDER**

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

This matter is before the Court on the plaintiff's Expedited Motion to Extend Preliminary Injunction Discovery and for Expedited Consideration. [R. 117]. The Court permitted the defendants to file expedited responses to the motion. [R. 119]. Governor Beshear, Secretary Johnson, the KSU Defendants, and Commissioner Miller have filed responses, [R. 120]; [R. 121]; [R. 122]; [R. 123], stating no objection to the requested extension of time, and the Commonwealth Defendants elected not to file a response. The Court has reviewed the motion and responses and believes that an extension of the discovery deadline is necessary. The motion requests that the existing preliminary injunction hearing date of November 2–3, 2026 remain in place, with the parties providing supplemental briefing to address the new discovery. However, to avoid piecemeal briefing and to ensure the parties and the Court have sufficient time to prepare for the preliminary hearing, the Court will deny this specific request. Accordingly, given Plaintiff's request to extend the discovery deadline to October 23, 2026, the Court finds it necessary to continue the preliminary injunction hearing currently scheduled for November 2–3, 2026, to allow

sufficient time for the parties to prepare and the Court to review their pre-hearing filings. *See* [R. 49 (Scheduling Order)].

Accordingly, the Court being otherwise sufficiently advised,

IT IS HEREBY ORDERED as follows:

1. The plaintiffs' Expedited Motion to Extend Preliminary Injunction Discovery and for Expedited Consideration, [**R. 117**], is **GRANTED IN PART** and **DENIED IN PART**.

   a. The motion is **GRANTED** to the extent it requests an extension of the discovery deadline. Discovery shall be completed on or before **October 23, 2026**.

   b. The motion is **DENIED** to the extent it requests that the November 2–3, 2026 hearing dates remain in place and supplemental briefing be added to the Court's current scheduling order.

2. The preliminary injunction hearing scheduled for November 2–3, 2026 is **REMANDED** from the Court's calendar and the pre-hearing submission deadlines outlined in the Court's scheduling order are **SUSPENDED**. *See* [R. 49, ¶¶ 5(b)–(d)].

3. On or before **Friday, October 9, 2026**, the parties **SHALL** meet and confer and file a joint status report advising as to which of the following dates they jointly prefer for the preliminary injunction hearing:

- November 19, 2026 (full day) & November 20, 2026 (half day)
- November 30, 2026 (full day) & December 1, 2026 (half day)
- January 5, 2026 (full day) & January 6, 2026 (half day)

If the parties cannot agree on the preferred dates, the Court will schedule the hearing from among those dates listed above. Upon rescheduling the hearing, the pre-hearing submission deadlines

outlined in the Court's scheduling order, [R. 49, ¶¶ 5(b)–(d)], shall be reinstated, relative to the new hearing dates.

This the 2nd day of October, 2026.

Claria Horn Boom

CLARIA HORN BOOM,
UNITED STATES DISTRICT COURT JUDGE
EASTERN AND WESTERN DISTRICTS OF
KENTUCKY