

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DR. SHIVA AYYADURAI,)	
Plaintiff,)	
)	
v.)	C.A. No. 1:20-11889-MLW
)	
WILLIAM FRANCIS GALVIN,)	
MICHELLE K. TASSINARI,)	
DEBRA O'MALLEY,)	
AMY COHEN,)	
NATIONAL ASSOCIATION OF STATE)	
ELECTION DIRECTORS,)	
all in their individual)	
capacities, and)	
WILLIAM FRANCIS GALVIN, in his)	
official capacity as the)	
Secretary of the Commonwealth)	
of Massachusetts,)	
Defendants.)	

MEMORANDUM AND ORDER

WOLF, D.J.

June 1, 2021

In view of plaintiff Shiva Ayyadurai's May 25, 2021 Status Report (Dkt. No. 123), the Massachusetts defendants' May 27, 2021 Response (Dkt. No. 127), and Twitter, Inc.'s May 28, 2021 Response (Dkt. No. 129), it is hereby ORDERED that:

1. If plaintiff, who has been proceeding pro se, wishes to retain Howard Cooper, Esq. and Charles Harder, Esq., at his own expense, they shall, by June 4, 2021, file their appearances.¹ As the court explained at the May 21, 2021 hearing, while it has the

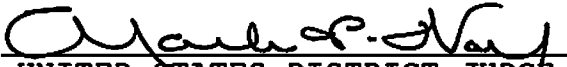
¹ If necessary, Mr. Harder shall, by June 4, 2021, also file a motion to appear pro hac vice. See Rule 85.5.3 of the Local Rules of the United States District Court for the District of Massachusetts.

discretion to allow "hybrid" representation and permit plaintiff, as well as counsel, to address the court, it is not usually appropriate to do so. See, e.g., McCulloch v. Velez, 364 F.3d 1, 5 (1st Cir. 2004); United States v. Nivica, 887 F.2d 1110, 1121 (1st Cir. 1989). If plaintiff is represented by counsel, the court will consider on a case-by-case basis whether to permit him, as well as counsel, to address the court concerning particular matters.

2. Counsel for plaintiff, or plaintiff if he decides to continue pro se, shall confer with counsel for defendants and for Twitter, and, by June 11, 2021, propose an agenda for a scheduling conference. The report should include whether counsel for plaintiff wish to file a revised proposed Second Amended Complaint in conventional form and possibly with altered claims. The report should also address whether plaintiff proposes to seek any discovery before the pending motions are decided. The parties' respective views on any disputed issues shall be succinctly stated in the report.

3. A Scheduling Conference shall be held, by video, on June 15, 2021, at 2:30 p.m.

4. Plaintiff shall not issue any request(s) for discovery unless authorized to do so at or after the June 15, 2021 Scheduling Conference.


UNITED STATES DISTRICT JUDGE