

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**LAUREN STOKES,**

**Plaintiff,**

v.

**Case No.: 3:25-cv-307-GHD-RP**

**GLENN BOYCE, CHANCELLOR OF  
THE UNIVERSITY OF MISSISSIPPI,  
In his official and personal capacities,**

**Defendant**

***NECESSITOUS AND URGENT MOTION TO QUASH OR  
MODIFY SUBPOENA AND REQUEST FOR EXPEDITED TREATMENT***

Defendant Glenn Boyce, Chancellor of the University of Mississippi (the “Chancellor”), requests the Court to quash or modify the subpoena issued by counsel for Plaintiff Lauren Stokes [36], which was served on the Chancellor on Sunday, February 15, 2026 [38].

1. In December 2025, the Chancellor committed his availability for the hearing set for Friday, February 13, 2026, and held that date open on his calendar in case he was asked to testify at the hearing. Boyce Decl. (Ex. 1) at ¶4. Plaintiff knew of his availability, yet she never subpoenaed the Chancellor to testify at the February 13 hearing. Nor did her legal counsel ever ask the Chancellor’s legal counsel to accept a subpoena for the Chancellor or to voluntarily make him available. Mayo Decl. (Ex. 2) at ¶¶ 3-8.

2. Plaintiff’s counsel knew that the Chancellor was not in the courtroom when the hearing began on February 13. On two occasions on February 13 during the hearing, Plaintiff’s counsel asked the Chancellor’s counsel if he expected to call the Chancellor as a witness. On both occasions, the Chancellor’s counsel responded that he would not make any decisions about which witnesses to call until Plaintiff completed her proof. Even then, Plaintiff’s counsel did not

ask the Chancellor's counsel to make the Chancellor available to testify. *Id.* at ¶9.

3. Before and after lunch, counsel had further discussions about expected completion of the hearing. Again, Plaintiff's counsel never expressed any need for the Chancellor to appear at the hearing. *Id.* at ¶¶ 10-11.

4. Plaintiff called seven witnesses, including herself, to offer live testimony in support of her Motion. At the close of her case, Plaintiff's counsel indicated for the first time she intended to call the Chancellor, "but he's not here that I am aware." Transcr. [37] at p. 95, l. 23; Mayo Decl. (Ex. 2) at ¶12.

5. The Chancellor was not at the courthouse when Plaintiff's first expressed her desire to examine him. Plaintiff had not subpoenaed the Chancellor and had never asked his counsel to secure his attendance for the hearing despite being aware he was not at the courthouse. *Id.* at ¶¶ 3-11; Boyce Decl. (Ex. 1) at ¶5.

6. After some discussion at the hearing and confirmation that the Chancellor would not testify live as part of his proof, Plaintiff's counsel stated: "I'm satisfied if this is the conclusion of the hearing." Transcr. [37] at p. 99, ll.16-17.

7. At the close of the hearing on February 13, the Court [32] gave the parties an opportunity to submit supplemental briefs by Friday, February 20. In addition, despite the fact that Plaintiff's counsel said "Let's end [the hearing], and it is what it is" and that she was "satisfied if this is the conclusion of the hearing" (*id.* at ll 6-7 and 16-17), the Court stated that, if Plaintiff "desires to call the defendant as a witness, I'll ask that if – you issue a subpoena for him to appear next Friday." *Id.* at p.101, ll 5-7.

8. The Chancellor's counsel informed the Court at the hearing that he was not sure about the Chancellor's availability on February 20. The Court then asked counsel for the

Chancellor to find out whether he was available. *Id.* at ll 8-13.

9. After the hearing, the Chancellor's counsel learned that the Chancellor was not available on February 20, with plans to be away from Oxford from February 17 through March 3, 2026. His schedule includes meetings with legislators and members of the Board of Trustees of Mississippi Institutions of Higher Learning between February 17 and 19; donor, alumni, and recruiting events between February 19 and 24; a previously planned family vacation from February 25 to March 1; and donor and legislative meetings until March 3. The Chancellor will leave from Jackson, Mississippi, after the IHL Board meeting on Thursday, February 19, to travel to Phoenix, Arizona, for a meeting that evening and another meeting at lunch the next day, Friday, February 20. These meetings and commitments have been set for at least two months and, in some cases, for much longer. Boyce Decl. [Ex. 1] at ¶¶ 7-9.

10. The Chancellor is available to testify at a hearing or by deposition on the afternoon of March 4, 2026, and the mornings of March 5-6, 2026. *Id.* at ¶10.

11. On the evening of February 13, the Chancellor's counsel contacted Plaintiff's counsel with an offer to discuss scheduling the Chancellor's testimony before February 20, the day the parties' supplemental briefs are due. Mayo Decl. (Ex. 2) at ¶14.

12. Instead of responding to the Chancellor's offer to voluntarily make himself available earlier in the week, Plaintiff's counsel filed a Notice of Intent to Serve Subpoena [36] to compel the Chancellor's appearance at the Federal Building in Oxford at 10:00 a.m. on February 20, 2026. *Plaintiff's Notice of Intent asserted that her counsel had not yet decided if she "still wish[ed] to examine" the Chancellor, but she would serve the subpoena "out of an abundance of caution" and "alert the Court" if she decided to withdraw it.* *Id.* at p.2.

13. Shortly after receiving the Notice of Intent, counsel for the Chancellor offered

specific times for Plaintiff's counsel to depose the Chancellor on Monday, February 16, or Tuesday, February 17. Mayo Decl. (Ex. 2) at ¶14. Plaintiff's counsel never addressed this offer.

14. Plaintiff served the Chancellor with the subpoena [38] around noon on Sunday, February 15, 2026. Boyce Decl. (Ex. 1) at ¶6.

15. In sum, the Chancellor had set aside February 13 for the hearing. Plaintiff never subpoenaed him nor indicated any desire for the Chancellor to appear and testify despite knowing early that morning that the Chancellor was not at the courthouse. The Chancellor also agreed to make himself available for a deposition on February 16 or 17, and Plaintiff did not accept the offer. Now, on less than a week's notice, Plaintiff wants the Chancellor to change his travel plans, which have been scheduled months in advance, to make himself available to testify while Plaintiff decides if she really needs his testimony.

16. FED. R. CIV. P. 45(d) requires that a party or attorney issuing a subpoena "must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena." The Court seemed to be sympathetic to that concern when it asked the Chancellor's counsel to determine whether the Chancellor was available on Friday, knowing that it may place a burden on the Chancellor to appear if he was not available. The Rule also allows the Court to quash or modify a subpoena that "subjects a person to undue burden."

17. The Chancellor requests the Court to quash the subpoena Plaintiff's counsel has served because it would impose a burden on the Chancellor to alter his previously scheduled travel plans (particularly after setting aside last Friday to testified if he was subpoenaed or asked to appear). In the alternative, the Chancellor asks the Court to modify the subpoena it to allow for his testimony by deposition or at a hearing on the mornings of March 4-6, 2026.

18. Due to the necessitous and urgent nature of the relief sought in this Motion, the

Chancellor asks the Court to waive the briefing requirement of L.U.Civ.R. 7(b)(4) and to give this motion expedited treatment.

FOR THESE REASONS, the Chancellor asks that the Court quash or modify the subpoena that Plaintiff served upon the Chancellor for his appearance at the federal courthouse in Oxford at 10:00 on Friday, February 20, 2026. The Chancellor requests such other relief as the Court deems appropriate under the circumstances.

This, the 16th day of February 2026.

Respectfully submitted,

**GLENN BOYCE, CHANCELLOR OF THE  
UNIVERSITY OF MISSISSIPPI, in his official  
and personal capacities**

*/s/ J. Cal Mayo, Jr.*

\_\_\_\_\_  
J. CAL MAYO, JR. (MB NO. 8492)

PAUL B. WATKINS, JR. (MB NO. 102348)

*Attorneys for Defendant*

OF COUNSEL:

MAYO MALLETTE PLLC  
2094 Old Taylor Road, Suite 200  
Oxford, Mississippi 38655  
Tel: (662) 236-0055 | Fax: (662) 236-0035  
*cmayo@mayomallette.com*  
*pwatkins@mayomallette.com*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**LAUREN STOKES,**

**Plaintiff,**

**v.**

**Case No.: 3:25-cv-307-GHD-RP**

**GLENN BOYCE, CHANCELLOR OF  
THE UNIVERSITY OF MISSISSIPPI,  
In his official and personal capacities,**

**Defendant**

**DECLARATION OF GLENN BOYCE**

1. I, Glenn Boyce, am over the age of 21, of sound mind and body, and competent to provide this testimony.
2. As the Chancellor of the University of Mississippi, I am the University's Institutional Executive Officer. I report to the Mississippi Commissioner of Higher Education and the Board of Trustees of Mississippi Institutions of Higher Learning.
3. At some point in early December 2025, I signed a declaration in support of a response to a motion for preliminary injunction filed by the plaintiff in this action.
4. Not long after submitting that declaration, I confirmed my availability to testify at a hearing on the motion for preliminary injunction on Friday, February 13, 2026, at the federal courthouse in Aberdeen, Mississippi. Since then, I have maintained that date on my calendar. Earlier this month, I learned that the hearing was moved to the federal courthouse in Oxford.
5. The plaintiff never served me with a subpoena to appear at the February 13 hearing, either in Aberdeen or in Oxford.



6. At noon on Sunday, February 15, 2026, the plaintiff served me with a subpoena to appear at the federal courthouse in Oxford at 10:00 a.m. on Friday, February 20, 2026.

7. I am scheduled to leave Oxford on the afternoon of Tuesday, February 17, 2026. I will not return to my office until early March. The following is my schedule during this time:

February 17-19 – IHL IEO, Health Affairs and Board Meeting/Legislative meeting

February 19-24: donor meetings, donor/alumni event and enrollment/admissions meetings, luncheons and speaking engagements at varying high schools (Phoenix, AZ and Las Vegas, NV)

February 25-March 1: family vacation; and

March 1-3: donor meetings and legislative meetings (Denver, CO, and Jackson).

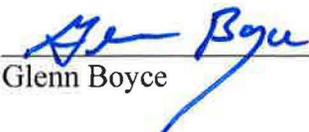
8. I will travel from Jackson, Mississippi, to Phoenix, Arizona, on the afternoon of February 19, 2026, for a donor event that evening and a recruiting luncheon event the next day with local high school counselors.

9. These meetings and commitments have been set for at least two months and, in some cases, for much longer.

10. I am available the afternoon of March 4, and the mornings of March 5-6, 2026, to testify at a hearing or by deposition.

I declare under penalty of perjury under the laws of the United States of America that these statements are true and correct to the best of my knowledge, information, and belief.

THIS, the 16th day of February 2026.

  
Glenn Boyce

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**LAUREN STOKES,**

**Plaintiff,**

**v.**

**Case No.: 3:25-cv-307-GHD-RP**

**GLENN BOYCE, CHANCELLOR OF  
THE UNIVERSITY OF MISSISSIPPI,  
In his official and personal capacities,**

**Defendant**

**DECLARATION OF J. CAL MAYO, JR.**

1. I, J. Cal Mayo, Jr., am an adult resident of Oxford, Lafayette County, Mississippi. I am of sound mind and body and competent to provide this testimony.
2. Paul Watkins and I are the counsel for Glenn Boyce, the Chancellor of the University of Mississippi, in this action.
3. In December 2025, I informed the Court and the plaintiff's counsel that Glenn Boyce was available to testify at a hearing on the plaintiff's motion for preliminary injunction at the federal courthouse in Aberdeen, Mississippi, on Friday, February 13, 2026.
4. The Court later set the hearing on the plaintiff's motion for preliminary injunction for 10:00 a.m. on Friday, February 13, 2026, at the federal courthouse in Aberdeen. On February 3, 2026, the Court moved the hearing to the federal courthouse in Oxford.
5. The plaintiff never served Glenn Boyce with a subpoena to appear at the February 13 hearing, either in Aberdeen or in Oxford.
6. The plaintiff's counsel never asked Paul Watkins or me to accept a subpoena for Glenn Boyce to appear at the February 13 hearing.



7. The plaintiff's counsel never asked Paul Watkins or me if Glenn Boyce would voluntarily appear at the February 13 hearing.

8. Before the end of the hearing on February 13, the plaintiff's counsel never told Paul Watkins or me that the plaintiff wanted Glenn Boyce to testify as part of her proof at the February 14 hearing.

9. During the morning of the February 13 hearing, the plaintiff's counsel twice asked me if I intended to call Glenn Boyce to testify at the hearing. On both occasions, I informed the plaintiff's counsel that I would not know who the defendant would call as witnesses until the plaintiff had completed her proof.

10. Before lunch during the February 13 hearing, the plaintiff's counsel indicated her intent to call additional witnesses with the expectation to complete the hearing that afternoon. She then told me that she expected to finish her proof around 3:00 p.m. She did not mention needing Glenn Boyce to testify as part of the proof in support of the plaintiff's motion.

11. After lunch on February 13, I asked again if the plaintiff's counsel expected to finish her proof by 3:00 p.m. She told me that she only had three witnesses and should be done closer to 2:00 p.m. She did not mention needing Glenn Boyce to testify as part of the plaintiff's proof.

12. The first time that the plaintiff's counsel indicated the possible desire to have Glenn Boyce testify as part of the plaintiff's proof was after she rested "subject to" testimony from Glenn Boyce. Even then, the plaintiff's counsel was not certain if she wanted his testimony.

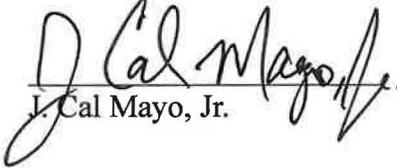
13. At the conclusion of the February 13 hearing, the Court provided the plaintiff the option to subpoena Glenn Boyce to provide testimony on Friday, February 20, 2026.

14. Late on the afternoon of February 13, Paul Watkins emailed the plaintiff's counsel to determine if the parties could arrange for Glenn Boyce to provide his testimony earlier in the

week before February 20. *See* Emails (Ex. A to this Declaration). The next day, February 14, I received the plaintiff's Notice of Intent to Serve Subpoena [36]. I immediately informed the plaintiff's counsel that Glenn Boyce was scheduled to leave Oxford on the afternoon of Tuesday, February 17 and would not return until early March, but I offered to make him available for a deposition on the afternoon of Monday, February 16, or the morning of Tuesday, February 17. *See* Emails (Ex. A). The plaintiff's counsel did not accept this offer to depose Glenn Boyce.

I declare under penalty of perjury under the laws of the United States of America that these statements are true and correct to the best of my knowledge, information, and belief.

THIS, the 16th day of February 2026.

  
J. Cal Mayo, Jr.



Cal Mayo <cmayo@mayomallette.com>

---

## Re: Stokes v. Boyce - Chancellor's testimony

1 message

---

**Alysson Mills** <alysson@alyssonmills.com>

Sat, Feb 14, 2026 at 3:10 PM

To: Cal Mayo <cmayo@mayomallette.com>

Cc: Paul Watkins <pwatkins@mayomallette.com>, bass@bbjlawyers.com

Just confirming you do not accept service.

Sent from my iPhone

On Feb 14, 2026, at 2:16 PM, Cal Mayo <cmayo@mayomallette.com> wrote:

Alysson,

Paul and I were uncertain if Judge Davidson intended for the Chancellor to appear at the Courthouse or for a deposition. As you noted in your email, the Judge did not mention a location or a specific time. Regardless, the Chancellor is out of town next Friday. He leaves on Tuesday afternoon and will not return until the first week of March.

Paul emailed yesterday to determine if we could arrange the Chancellor's deposition testimony earlier in the week. The Chancellor is available for a deposition in our office on Monday afternoon at 2:00pm or on Tuesday morning at 9:00am. You do not need to subpoena him for the deposition, as we will make him available voluntarily. Taking the deposition earlier in the week allows us to incorporate the Chancellor's testimony into our respective post-hearing briefs due on Friday.

If you serve the Chancellor with a subpoena to appear next Friday (for a hearing or a deposition), we will necessarily move to quash the subpoena.

As I understand from your Notice [Doc. 36], you have not determined if you want the Chancellor's testimony as part of Plaintiff's proof supporting her Motion for Preliminary Injunction. If you elect to move forward with a deposition, please let me know by Sunday at 5:00pm regarding your preferred setting (Monday afternoon or Tuesday morning) so I can make arrangements with the Chancellor.

Cal

### **J. Cal Mayo, Jr.**

Mayo Mallette PLLC

E: [cmayo@mayomallette.com](mailto:cmayo@mayomallette.com)

O: 662.236.0055 | D: 662.513.4897 | C: 662.801.3837

[2094 Old Taylor Road, Suite 200 | Oxford, MS 38655](#)

---

mayomallette<sup>PLLC</sup>



On Sat, Feb 14, 2026 at 1:03 PM Alysson Mills <alysson@alyssonmills.com> wrote:

| We understood the court to say next Friday, which we took to mean same time, same place. We've

We presume the court considered its calendar and confirmed its availability before it proposed next Friday. We don't intend to ask it to rearrange its schedule for our benefit. But if you do, let us know. We might not object.

Do you accept service?

On Fri, Feb 13, 2026 at 6:31 PM Paul Watkins <[pwatkins@mayomallette.com](mailto:pwatkins@mayomallette.com)> wrote:  
Alysson, Lilli

Good to see you both today. We're not entirely clear on the Court's instructions about the Chancellor's testimony. If you decide you want to take his testimony next week, it may make sense for us to see if there's a mutually agreeable time before the day supplemental briefs are due. Let us know if you want to discuss.

Paul

**Paul Watkins**

Mayo Mallette PLLC

E: [pwatkins@mayomallette.com](mailto:pwatkins@mayomallette.com)

O: 662.236.0055 | D: 662.513.4900 | C: 662.801.0162

[2094 Old Taylor Road, Suite 200 | Oxford, MS 38655](#)

---

mayomallette<sup>PLLC</sup>