

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BLACK VOTERS MATTER FUND,
MEGAN GORDON, PENELOPE
REID, and ANDY KIM, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, in his
official capacity as Secretary of State of
Georgia; DEKALB COUNTY BOARD
OF REGISTRATION & ELECTIONS;
ANTHONY LEWIS, SUSAN
MOTTER, DELE LOWMAN SMITH,
SAMUEL E. TILLMAN, and BAOKY
N. VU, in their official capacities as
Members of the DeKalb County Board
of Registration & Elections; and ERICA
HAMILTON, in her official capacity as
Director of Voter Registration and
Elections, and all others similarly
situated,

Defendants.

Civil Action No.: 20-cv-1489-AT

Class Action

PLAINTIFFS' BRIEF IN OPPOSITION TO
DEFENDANT RAFFENSPERGER'S MOTION TO DISMISS THE
AMENDED COMPLAINT

The Secretary has filed a motion to dismiss the amended complaint, incorporating his prior briefs in connection with the Secretary's Motion to Dismiss the Complaint. Doc. 90. Plaintiffs oppose the Secretary's motion also by incorporating their prior Brief in Opposition to the Secretary's Motion to Dismiss. Doc. 84. Because Plaintiffs agree with the Secretary that "the new individual plaintiffs are similarly situated to the existing individual Plaintiff, Ms. Gordon," Doc. 90 at 2, the prior arguments about Ms. Gordon's standing also apply to the new individual plaintiffs. Doc. 84 at 28-29.

Thus, the Secretary's Motion to Dismiss the Amended Complaint should be denied. If the Secretary chooses to file a reply, Plaintiffs respectfully request that any reply be filed within 24 hours.

Respectfully submitted this 12th day of May, 2020.

Sean Young

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Attorneys for Plaintiffs

CERTIFICATE OF COMPLIANCE

Pursuant to N.D. Ga. Local Civil Rule 7.1(D), I hereby certify that the foregoing has been prepared in compliance with N.D. Ga. Local Civil Rule 5.1(C) in Times New Roman 14-point typeface.

Sean Young

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system.

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