

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

NATIONAL FEDERATION  
OF THE BLIND, INC., et al.

Plaintiffs,

v.

LINDA H. LAMONE, et al.

Defendants.

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Civil Action No.: RDB-14-1631

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**ORDER & JUDGMENT**

For the reasons stated in the foregoing Memorandum Opinion, this 4th day of September, 2014, it is ORDERED that:

1. Motion to Intervene (ECF No. 21) filed by Charles Crawford, Jane Sheehan, Cindy LaBon, The American Council of the Blind of Maryland, Verified Voting.org, and SAVEourVotes.org (the “Putative Intervenors”) is GRANTED IN PART and DENIED IN PART; specifically, the motion is granted to the extent the Putative Intervenors have participated thus far, but it is denied to the extent that the Putative Intervenors’ attempt to assert independent claims against the Defendants;
2. Plaintiffs’ Motion for Permanent Injunction (ECF No. 26) and Defendants’ Motion for Summary Judgment (ECF No. 28) are DENIED AS MOOT;

And it is further HEREBY ORDERED and ADJUDGED that:

3. Judgment is entered in favor of Plaintiffs National Federation of the Blind, Kenneth Capone, Melissa Riccobono, and Janice Toothman against Defendants Linda Lamone, in her official capacity as State Administrator of the State Board of Elections, Bobbie S. Mack, in her official capacity as Chairman of the State Board of Elections, David J. McManus, Jr., in his official capacity as Vice-Chairman of the State Board of Elections, and Patrick J. Hogan, Charles E. Thomann, and Janet S. Owens, in their official capacities as members of the State Board of Elections, (collectively, the “Defendants”) with respect to Plaintiffs’ claims;
4. The State of Maryland’s absentee ballot voting program, which lacks any way for Plaintiffs to participate privately and independently, violates Plaintiffs’ rights under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act;
5. Defendants Linda Lamone, in her official capacity as State Administrator of the State Board of Elections, Bobbie S. Mack, in her official capacity as Chairman of the State Board of Elections, David J. McManus, Jr., in his official capacity as Vice-Chairman of the State Board of Elections, and Patrick J. Hogan, Charles E. Thomann, and Janet S. Owens, in their official capacities as members of the State Board of Elections, shall be permanently restrained and enjoined from violating Plaintiffs’ rights under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act in the upcoming 2014 general election and in all future elections;
6. Defendants Linda Lamone, in her official capacity as State Administrator of the State

Board of Elections, Bobbie S. Mack, in her official capacity as Chairman of the State Board of Elections, David J. McManus, Jr., in his official capacity as Vice-Chairman of the State Board of Elections, and Patrick J. Hogan, Charles E. Thomann, and Janet S. Owens, in their official capacities as members of the State Board of Elections, shall make the online ballot marking tool available to Plaintiffs for the 2014 general election;

7. This Order shall be deemed to be a final Judgment within the meaning of Fed. R. Civ. P. 58;
8. The Clerk of the Court transmit copies of this Order and accompanying Memorandum Opinion to counsel for the parties; and
9. The Clerk of the Court CLOSE THIS CASE.

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/s/  
Richard D. Bennett  
United States District Judge