

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

ANNE GLENN WELTNER, FRANCYS )  
JOHNSON, and LAURA REGISTER )

Plaintiffs;

vs.

BRAD RAFFENSPERGER,  
SECRETARY OF STATE,  
STATE OF GEORGIA,

Defendant.

CIVIL ACTION FILE NO.:

1:20-CV-1407

**DEFENDANT’S RESPONSE TO  
PLAINTIFF’S REQUEST FOR HEARING ON  
MOTION FOR PRELIMINARY INJUNCTION**

Brad Raffensperger, in his official capacity as the Secretary of State of Georgia (hereinafter “Defendant” or “the Secretary”), responds to Plaintiff’s Request for Hearing on Motion for Preliminary Injunction as follows:

To the extent that Plaintiffs’ request is intended to have a hearing on their Motion for Preliminary Injunction held on an expedited basis (and especially to the extent it may be read to suggest that oral argument should be conducted prior to the due date for filing of the Secretary’s response to the Motion), such an acceleration is neither warranted nor appropriate under the circumstances.

Plaintiffs' suit was filed on March 31, 2020, but Plaintiffs failed to file their Motion for Preliminary Injunction until April 24, 2020. Ballots for the June 9, 2020, General Primary/Presidential Preference Primary/Non-Partisan General Election have already been sent to voters covered by the Uniformed and Overseas Citizens Absentee Voting Act ("UOCAVA") who timely requested absentee ballots. Additionally, almost a million non-UOCAVA absentee ballots also have been mailed to Georgia voters. Even though absentee ballot requests continue to come in, ballots have already been built, approved, and printed and it is too late to change them at this point.. Votes have already been cast through completed absentee ballots returned to election officials even though those ballots have not been tabulated, and many more absentee ballots are presumably in transit back to election officials for counting.

However the Court may ultimately decide the issue of whether, or to what extent, Plaintiffs may be entitled to any relief, relief simply cannot be entered as to the June 9 election. Any delay or concern about the timing of a hearing or adjudication on the merits of the Motion for Preliminary Injunction is due entirely to Plaintiffs' delay in seeking relief. Should the Court decide, after reviewing the Secretary's timely substantive response, that it desires to hear oral argument on Plaintiffs' motion, the Secretary's counsel will work with the Court and Plaintiffs'

counsel to facilitate oral argument in a manner consistent with the various COVID-19 related standing orders governing court operations.

Respectfully submitted,

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/s/Elizabeth T. Young  
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**Certificate of Service and of Compliance  
With L.R. 5.1(C)**

I hereby certify that this filing conforms to the requirements of L.R.

5.1(C). This filing is written in 14 point Times New Roman font.

I hereby certify that on May 5, 2020, I electronically filed this Response with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Bruce P. Brown  
BRUCE P. BROWN LLC  
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This 5th day of May, 2020.

/s/Elizabeth T. Young  
ELIZABETH T. YOUNG      707725  
Assistant Attorney General