

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

COMMON CAUSE INDIANA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:12-cv-01603-RLY-DML
	)	
INDIANA SECRETARY OF STATE, in her	)	
official capacity, INDIVIDUAL MEMBERS	)	
OF THE INDIANA ELECTION	)	
COMMISSION, in their official capacities; and	)	
GOVERNOR OF THE STATE OF INDIANA,	)	
in his official capacity,	)	
	)	
Defendants.	)	

**JOINT DESIGNATION OF RECORD FOR USE ON APPEAL**

In compliance with Circuit Rule 10 and Local Rule 76-1, the parties hereby jointly designate the following items to be included in the record of proceedings for use in the appeal docketed as *Common Cause Indiana v. Individual Members of the Indiana Election Commission, et al.*, No. 14-3300:

1. **Docket Item 1** – Complaint for Declaratory and Injunctive Relief, including all attachments thereto, filed by Plaintiff Common Cause Indiana on 11/01/2012
2. **Docket Item 10** – Motion to Dismiss for Failure to State a Claim, including all attachments thereto, filed by Defendants on 12/20/2012
3. **Docket Item 11** – Brief/Memorandum in Support re 10 Motion to Dismiss for Failure to State a Claim, filed by Defendants on 12/20/2012
4. **Docket Item 12** – Amended Complaint for Declaratory and Injunctive Relief, including all attachments thereto, filed by Plaintiff Common Cause Indiana on 01/03/2013
5. **Docket Item 16** – Entry denying as moot 10 Motion to Dismiss for Failure to State a Claim, entered on 01/11/2013

6. **Docket Item 18** – Motion to Dismiss for Failure to State a Claim and for Lack of Jurisdiction, including all attachments thereto, filed by Defendants on 02/01/2013
7. **Docket Item 19** – Brief/Memorandum in Support re 18 Motion to Dismiss, filed by Defendants on 02/01/2013
8. **Docket Item 20** – Response in Opposition re 18 Motion to Dismiss, filed by Plaintiff Common Cause Indiana on 02/15/2013
9. **Docket Item 27** – Reply in Support re 18 Motion to Dismiss, filed by Defendants on 03/18/2013
10. **Docket Item 30** – Order denying Defendants' 18 Motion to Dismiss, entered on 09/06/2013
11. **Docket Item 31** – Motion/Petition for Certification of Interlocutory Appeal Under 28 U.S.C. § 1292b and Motions to Amend Order and Stay Proceedings Pending Appeal, including all attachments thereto, filed by Defendants on 09/16/2013
12. **Docket Item 32** – Brief/Memorandum in Support re 31 Motion/Petition for Certification of Interlocutory Appeal, filed by Defendants on 09/16/2013
13. **Docket Item 33** – Response in Opposition re 31 Motion/Petition for Certification of Interlocutory Appeal, filed by Plaintiff Common Cause Indiana on 09/19/2013
14. **Docket Item 36** – Order denying the State Defendants' 31 Motion for Certification of Interlocutory Appeal, entered on 11/07/2013
15. **Docket Item 37** – Answer to 12 Amended Complaint for Declaratory and Injunctive Relief, filed by Defendants on 12/09/2013
16. **Docket Item 40** – Motion for Summary Judgment, including all attachments thereto, filed by Plaintiff Common Cause Indiana on 03/28/2014
17. **Docket Item 41** – Brief/Memorandum in Support re 40 Motion for Summary Judgment, filed by Plaintiff Common Cause Indiana on 03/28/2014
18. **Docket Item 46** – Motion to Intervene, including all attachments thereto, filed by Plaintiff Christopher K. Starkey on 05/02/2014
19. **Docket Item 47** – Brief/Memorandum in Support re 46 Motion to Intervene, filed by Plaintiff Christopher K. Starkey on 05/02/2014
20. **Docket Item 48** – Intervenor Complaint for Declaratory and Injunctive Relief, filed by Plaintiff Christopher K. Starkey on 05/02/2014

- 21. Docket Item 50** – Response in Opposition re 46 Motion to Intervene, filed by Plaintiff Common Cause Indiana on 05/13/2014
- 22. Docket Item 51** – Notice of Correction, filed by Plaintiff Common Cause Indiana on 05/13/2014
- 23. Docket Item 52** – Response in Opposition re 46 Motion to Intervene, filed by Defendants on 05/19/2014
- 24. Docket Item 57** – Motion for Summary Judgment, including all attachments thereto, filed by Defendants on 05/30/2014
- 25. Docket Item 58** – Brief/Memorandum in Support re 57 Motion for Summary Judgment and in Opposition to 40 Motion for Summary Judgment, filed by Defendants on 05/30/2014
- 26. Docket Item 60** – Designation of Evidence re 57 Motion for Summary Judgment and 40 Motion for Summary Judgment, including all attachments thereto, filed by Defendants on 05/30/2014
- 27. Docket Item 61** – Reply in Support of Motion re 46 Motion to Intervene, filed by Plaintiff Christopher K. Starkey on 06/05/2014
- 28. Docket Item 62** – Order denying Christopher K. Starkey's 46 Motion to Intervene, entered on 06/18/2014
- 29. Docket Item 63** – Reply in Support of Motion re 40 Motion for Summary Judgment and Response in Opposition to Defendants' 57 Cross-Motion for Summary Judgment, including all attachments thereto, filed by Plaintiff Common Cause Indiana on 06/19/2014
- 30. Docket Item 65** – Appeal/Objection to 62 Magistrate Judge's Order Denying Motion to Intervene, including all attachments thereto, filed by Plaintiff Christopher K. Starkey on 06/30/2014
- 31. Docket Item 66** – Reply in Support of Motion re 57 Motion for Summary Judgment, filed by Defendants on 07/25/2014
- 32. Docket Item 69** – Order denying as moot Christopher K. Starkey's 65 Appeal of Magistrate Judge Decision denying motion to intervene, entered on 10/02/2014
- 33. Docket Item 70** – Order granting Common Cause's 40 Motion for Summary Judgment and denying Defendants' 57 Motion for Summary Judgment, entered on 10/09/2014

- 34. Docket Item 71** – Closed Judgment in favor of Plaintiff against Defendants, entered on 10/09/2014
- 35. Docket Item 76** – Notice of Appeal as to 70 Entry on Parties’ Cross Motions for Summary Judgment and 71 Closed Judgment, filed by Defendants on 10/17/2014
- 36. Docket Item 77** – Docketing Statement re 76 Notice of Appeal, filed by Defendants on 10/17/2014

Respectfully submitted,

s/ Thomas M. Fisher

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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*s/ Thomas M. Fisher*

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