

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JAMES "JIM" TOMASIK, J. DANIEL TOMASIK,  
and LIBERTARIAN PARTY OF TENNESSEE,

....Plaintiffs,

v.

MARK GOINS, Coordinator of  
Elections for the State of Tennessee;  
TRE HARGETT, Secretary of State  
for the State of Tennessee; SHELBY COUNTY  
ELECTION COMMISSION through its  
Members, Robert D. Meyers, Chairman;  
Norma Lester, Secretary; Dee Nollner,  
Commissioner; Steve Stamson, Commissioner,  
and Anthony Tate, Commissioner, ....Defendants.

Case No. 3:13-01118  
Judge Haynes

**JUDGMENT**


This action came to hearing before the Court on Plaintiffs' Motion for Preliminary Injunction (Dkt. Entry No. 11) on October 31, 2013, with said Motion for Preliminary Injunction being granted for the reasons set forth on the record in open Court following the hearing, at which Counsel for all parties were present. Pursuant to Fed. R. Civ. Proc. 65(a)(2), the trial of the merits, by agreement of counsel for the parties, is consolidated with the aforesaid hearing on the Motion for Preliminary Injunction and Plaintiffs' Motion for Preliminary and Permanent Injunction is granted and T.C.A., Election Code, §§ 2-1-104(a)(14), 2-1-104(a)(24), 2-1-104(a)(31), 2-5-208(d)(1), 2-13-107(a)(2), 2-13-201(a), and 2-14-202, as applied to the Plaintiffs herein for the 2013 Tennessee Special General Election for State House District 91 on November 21, 2013, and the facts and circumstances relating thereto, are declared unconstitutional for the reasons set forth on the record in open Court during the hearing held on Plaintiffs' aforesaid Motion for Preliminary Injunction.

Plaintiffs may file any application for attorney fees, pursuant to 42 U.S.C. § 1988, and bill of costs pursuant to Local Court Rules within thirty days of the entry of judgment herein.

IT IS ORDERED AND ADJUDGED that judgment be entered in favor of the Plaintiffs and against the Defendants.

IT IS SO ORDERED.

ENTERED this the 26<sup>th</sup> day of November, 2013.

  
WILLIAM J. HAYNES, JR.  
Chief Judge  
United States District Court

APPROVED FOR ENTRY:

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