

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

ALLISON MULLINS, on behalf of herself
and all others similarly situated,

Civil Action No. 3:16-cv-9918

Plaintiff,

v.

Hon.

KAREN COLE, in her official capacity AS
CLERK OF CABELL COUNTY,

Defendant.

MOTION FOR CLASS CERTIFICATION

Pursuant to Federal Rule of Civil Procedure 23, Plaintiff respectfully moves the Court to certify a class of all qualified voters in Cabell County who properly used the Secretary of State's online system to submit a voter registration application or update their voter registration information by October 18, 2016. In support of this motion, Plaintiff concurrently submits a memorandum in support, which is hereby incorporated within this motion by reference.

Respectfully submitted this 20th day of October, 2016,

By Counsel,

AMERICAN CIVIL LIBERTIES UNION OF
WEST VIRGINIA FOUNDATION

/s/ Jamie Lynn Crofts

Jamie Lynn Crofts

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*motions for admission pro hac vice forthcoming

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

At this early point in the case, no attorney has yet made an appearance for the Defendant, Karen Cole, Clerk of Cabell County. However, I hereby certify that on October 20, 2016, I attempted to serve the foregoing Emergency Motion for a Temporary Restraining Order upon the defendant by sending a copy to the following attorney and Defendant Cole's office via facsimile:

Sean K. Hammers
Cabell County Prosecuting Attorney
304-526-8679 (f)

Karen Cole
Clerk of Cabell County
304-526-8632 (f)

/s/ Jamie Lynn Crofts

Counsel for Plaintiff