

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

BARBARA H. LEE, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 3:15CV357-HEH
	)	
VIRGINIA STATE BOARD OF	)	
ELECTIONS, <i>et al.</i>	)	
	)	
Defendants.	)	

**ORDER**  
**(Granting Motion for Reconsideration)**

By Memorandum Opinion and Accompanying Order entered on December 18, 2015, this Court dismissed Counts IV and V of the Amended Complaint without prejudice. Presently before the Court is Plaintiffs' Motion for Reconsideration (ECF No. 123), filed pursuant to Federal Rule of Civil Procedure 59(e), arguing in part that the parties were not afforded the opportunity to fully address the standing issue on which the dismissal of Counts IV and V was based. Defendants have filed a Response in Opposition (ECF No. 125).

In their brief supporting reconsideration, Plaintiffs offer authority bearing directly on the critical traceability element of standing in the election law context which could arguably convince the court that its initial impression was in error. Prudence and judicial economy dictate that any potential clear error be re-examined at the earliest possible stage in a case of this significance.


On careful review, the Court is of the opinion that further briefing and

consideration of the standing issue on Counts IV and V is appropriate. Accordingly, Plaintiffs' Motion for Reconsideration is GRANTED.

Given that Plaintiffs have already detailed the merits of reinstatement in their Motion, Defendants will file a response concerning the merits of reinstating Counts IV and V, addressing the standing issue, by close of business on Monday, January 25, 2016.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

 /s/\_\_\_\_\_  
Henry E. Hudson  
United States District Judge

Date: Jan. 20, 2016  
Richmond, Virginia