EXHIBIT 1

IN THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE MEMPHIS BRANCH (NAACP), ANGELA BARKSDALE, DR. NOEL HUTCHINSON, TAMARA HENDRIX and JANICE F. SCOTT, Plaintiffs,	DONNA L. RUSSELL, C.& M. TIME: 4.29 BY:
v. SHELBY COUNTY ELECTION COMMISSION, LINDA PHILLIPS in her official capacity as Administrator of the Shelby County Election Commission, NORMA LESTER, ROBERT MEYERS, DEE NOLLNER, ANTHONY TATE and STEVE STAMSON in their Official Capacities as Members of the Board of Commissioners of the Shelby County Election Commission,	No. (11)-18-1003-2
Defendants.)

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND DECLARATORY JUDGMENT

TO THE CHANCELLORS OF THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS:

Plaintiffs, in their individual capacities, by and through the undersigned counsel, file their Complaint for Injunctive Relief and Declaratory Judgment against defendants Shelby County Election Commission, Linda Phillips in her official capacity as Administrator for the Shelby County Election Commission and Norma Lester, Robert Meyers, Dee Nollner, Anthony Tate and Steve Stamson, in their Official Capacities as Members of the Board of Commissioners of the Shelby County Election Commission, and state as follows:

INTRODUCTORY STATEMENT

Under Tennessee law, Tenn. Code Ann. § 2-6-102, Shelby County's early voting period for the August 2018 election is July 13-July 28, 2018. On or about June 26, 2018, the Shelby County Election Commission, having given little or no advance notice to the public, voted to open the Shelby County Agricultural Center as the sole early voting location for Shelby County during the first four (4) days of early voting for the August 2018 election.

On or about June 30, 2018, the Shelby County Election Commission, after extreme opposition to the approved course of action was brought to the Commission's attention by numerous members of the voting public in Shelby County, as well as by members of the Election Commission and members of the Board of Commissioner of Shelby County, voted to open three additional sites for the first four days of early voting for the August 2018 election. Those sites are Abundant Grace Fellowship on Shelby Drive in Memphis, Tennessee, New Bethel Missionary Baptist Church on Poplar Pike in Germantown, Tennessee and the Shelby County Election Commission's elections operations office located on Nixon Drive at Shelby Farms, in very close proximity to the Shelby County Agricultural Center.

Because the action of the Shelby County Election Commission was taken only after two or more members of the Shelby County Commission engaged in secret meetings in violation of the Tennessee Open Meetings Act and the discriminatory impact it has on the plaintiffs ability to vote in violation of Tenn. Code Ann. § 2-12-116 and 42 U.S.C. 1973, Plaintiffs now file this lawsuit.

PARTIES AND JURISDICTION

1. Plaintiff Angela Barksdale is a resident citizen of Shelby County, Tennessee and is a registered voter in Shelby County, Tennessee.

- 2. Plaintiff Dr. Noel Hutchinson is a resident citizen of Shelby County, Tennessee and is a registered voter in Shelby County, Tennessee.
- 3. Plaintiff Tamara Hendrix is a resident citizen of Shelby County, Tennessee and is a registered voter in Shelby County, Tennessee.
- 4. Plaintiff Janice F. Scott is a resident citizen of Shelby County, Tennessee and is a registered voter in Shelby County, Tennessee.
- 5. Plaintiff National Association for the Advancement of Colored People-Memphis Branch (hereinafter referred to as "Memphis NAACP") is a non-partisan, nonprofit organization founded in 1917. The mission of the Memphis NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination. In furtherance of this mission, the Memphis NAACP advocates to ensure that racial minorities are represented in the local, state and national legislative bodies by representatives who share the community's interests, values and beliefs and who will be accountable to the community. The Memphis NAACP routinely engages the community in voter-registration drives and encourages community members to vote in its get-out-the-vote (GOTV) exercises. The June 26 and June 29, 2018 vote of the Shelby County Election Commission will harm the African-American citizens of Shelby County by significantly impairing their voting rights and opportunities as compared to white voters in Shelby County, Tennessee due to the locations of the four sites selected for early voting by the Shelby County Election Commission.

- 6. Defendant Shelby County Election Commission is a governmental entity licensed and authorized to do business in the State of Tennessee, with its elections operations office located at 980 Nixon Drive in Memphis, Tennessee.
- 7. Defendants Norma Lester, Robert Meyers Dee Nollner, Anthony Tate and Steve Stamson (collectively referred to as "the Shelby County Election Commissioners") are presently serving as the duly-appointed members of the Shelby County Election Commission.
- 8. Defendant Linda Phillips is the Administrator for the Shelby County Election Commission.
- 9. The Shelby County Election Commissioners are being sued solely in their official capacities as members of the Board of Election Commissioners.
- 10. Linda Phillips is sued solely in her official capacity as Administrator of the Shelby County Elections Commission.
 - 11. All defendants are residents of Shelby County, Tennessee.
- 12. This Court has jurisdiction in this action pursuant to 42 U.S.C. § 1973 et seq., T.C.A. § 8-44-106(a), T.C.A. § 2-3-101 et seq., T.C.A. § 2-3-201 et seq. and Article I, Section 5 and Article IV, Section 1 of the Tennessee Constitution.
 - 13. Venue of this action is proper in this Court.

COUNT I – VIOLATION OF TENNESSEE OPEN MEETINGS ACT, TENN. CODE ANN §§ 8-44-101 to 8-44-201

- 14. Plaintiffs reallege and incorporate by reference the allegations of paragraphs 1 through 13.
- 15. The Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 to 8-44-201, enacted in 1974, has long established the fundamental public policy of Tennessee "that the

formation of public policy and decisions is public business and shall not be conducted in secret," Tenn. Code Ann. § 8-44-101(a).

- 16. Pursuant to the Tennessee Open Meetings Act, Tenn. Code Ann. § 8-44-102(a), "[a]ll meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee."
- 17. The Shelby County Election Commission, which is comprised of the Shelby County Election Commissioners who have been named as defendants in this lawsuit in their official capacity, constitutes a "governing body" for purposes of the Tennessee Open Meetings Act, as defined in Tenn. Code Ann. § 8-44-102(b), and the Shelby County Election Commission and each of the Shelby County Election Commissioners are subject to the requirements of the Tennessee Open Meetings Act.
- 18. Plaintiffs are citizens of Tennessee whose right of access to public meetings under Tenn. Code Ann. § 8-44-102(a), upon information and belief, has been violated by, and whose rights have otherwise been affected by, the violations of the Tennessee Open Meetings Act that have been committed by two or more of the Shelby County Election Commissioners and Shelby County Election Commission Administrator Linda Phillips.
- 19. Upon information and belief, on or prior to June 26, 2018, outside of any public session, without adequate notice to the public, and in secret, two or more of the Shelby County Election Commissioners discussed, deliberated toward a decision on, or reached a decision concerning the subject matter of the resolutions ultimately approved in public session of the Election Commissioners on or about June 26, 2018 and June 29, 2018.

- 20. Upon information and belief, some or all of the discussions or deliberations regarding the subject matter of the Resolution took place by telephone, text message and electronic mail.
- 21. For purposes of the Tennessee Open Meetings Act, these discussions or deliberations constituted one or more meetings under Tenn. Code Ann. § 8-44-102(b)(2) and (c).
- 22. Upon information and belief, by conducting or participating in these secret meetings, two or more of the Shelby County Election Commissioners denied Plaintiffs and other members of the public access or admittance to their discussions or deliberations and violated Tenn. Code Ann. § 8-44-102(a).
- 23. Upon information and belief, by failing to give adequate public notice of these secret meetings, two or more of the Shelby County Election Commissioners violated Tenn. Code Ann. § 8-44-103.
- 24. Based on these violations of the Tennessee Open Meetings Act, and pursuant to Tenn. Code Ann. § 8-44-105, the action of the Election Commissioners in adopting the resolutions on or about June 26 and June 29, 2018 is, and should be declared by this Court to be, void and of no effect.
- 25. Pursuant to Tenn. Code Ann. § 8-44-106, Plaintiffs should be awarded their reasonable fees and expenses incurred in bringing this action.
- 26. The rights of Plaintiffs and other members of the public to attend meetings of the Shelby County Election Commission, upon information and belief, have been, are being, and will continue to be violated by the actions of two or more of the Shelby County Election Commissioners.

- 27. Upon information and belief, Plaintiffs and other members of the public will suffer immediate and irreparable injury, loss, or damage before notice can be served and a hearing held on the request for injunctive relief in this matter. Accordingly, no adequate remedy at law exists to protect the rights of Plaintiffs and other members of the public under the Tennessee Open Meetings Act.
- 28. Pursuant to Tenn. Code Ann. § 8-44-106(c), the Shelby County Election

 Commissioners should be preliminarily and permanently enjoined from committing any further violations of the Tennessee Open Meetings Act by entry of injunctive relief as set forth more fully in the prayer for relief below.

COUNT II – VIOLATION OF TENNESSEE ELECTION LAWS, TENN. CODE ANN § 2-12-116, ET SEQ.

- 29. Plaintiffs reallege and incorporate by reference the allegations of paragraphs 1 through 28.
- 30. Under most circumstances, many of the duties of the county election commissions listed in the Election Code may fairly be described as ministerial, such as certifying voting machines, keeping and writing the minutes of commission meetings, and determining a uniform time for opening the polls. *See* Tenn. Code Ann. § 2-12-116(6), (12), & (13).
- 31. Other duties in the Election Code, however, inherently involve a level of discretion and judgment. For example, county election commissions are required to "promulgate such policies as are necessary to aid the personnel of the election commission office in the performance of their duties." Tenn. Code Ann. § 2-12-116. They also are charged with appointing an administrator of elections, approving a budget, hiring legal counsel, and adopting

and implementing procedures to preserve the integrity and security of the vote. *McFarland v. Pemberton*, 530 S.W.3d 76, 91-92 (Tenn. 2017).

- 32. The Shelby County Election Commission and its board members are named as defendants in this lawsuit in their official capacity as Commissioners.
- 33. Plaintiffs are citizens of Tennessee whose rights of access to vote have been infringed upon under Tenn. Code Ann. § 2-12-116, and 42 U.S.C. 1973 (cited *infra*) upon information and belief, and has been violated by, and whose rights have otherwise been affected by, the violations and actions of the Shelby County Election Commission and its commissioners.
- 34. Pursuant to T.C.A. § 2-12-116(1-16), the Chairman of the Election Commission, Robert Myers, and the Administrator of the Election Commission, Linda Phillips, have willfully created a discriminatory circumstance that detrimentally impacts the votes of core-Shelby County citizens by adopting a resolution that severely infringes on the right to vote for minorities in the inner city of Memphis and Shelby County.
- 35. Upon information and belief, the Resolution seeks to open voting locations for the first four days of early voting only in geographical locations that are primarily inaccessible to core city and county citizens, which will have a detrimental effect on voting participation among core minority voters. As previously stated, early voting in Shelby County lasts for only a total of 16 days. If Defendants were to successfully implement the "four day head-start" resolution that would restrict early voting to the four approved locations, the majority-white electorate that lives and works in the neighborhoods of three of the proposed sites would have a substantially greater opportunity to exercise their votes early than the majority of the African-American citizenry within the core of Shelby County.

- 36. In essence, the Defendants seek to give 16 days of early voting to areas in which a majority of the voting persons working and/or residing in those areas are white voters and only 12 days of early voting to those African-American voters that cannot access three of the four proposed "head-start" early voting sites. A large number of African-American voters rely on public transportation for employment and residential needs. Those same persons would have to rely upon public transportation to transport them across the County to simply exercise their right to vote for the first four days of the early voting period.
- 37. Based on the violations of Tenn. Code Ann. § 2-12-116, *et seq.*, the actions of the Election Commissioners and Shelby County Election Commission in adopting the Resolutions are, and should be declared by this Court to be, void and of no effect.
- 38. Upon information and belief, Plaintiffs and other members of Shelby County will suffer immediate and irreparable injury, loss, or damage before notice can be served and a hearing held on the request for injunctive relief in this matter. Accordingly, no adequate remedy at law exists to protect the rights of Plaintiffs and other members of the public from these Resolutions other than immediate injunctive relief and a temporary restraining order.
- 39. Pursuant to the laws of equity and the willful violation of Tenn. Code Ann. § 2-12-116., the Shelby County Election Commissioners and Shelby County Election Commission should be preliminarily and permanently enjoined from committing any further violations of the above-referenced act by entry of injunctive relief as set forth more fully in the prayer for relief below.

COUNT III – <u>VIOLATION OF THE VOTING RIGHTS ACT OF 1965,</u> <u>42 U.S.C. § 1973 AND ARTICLE I, SECTION V AND ARTICLE IV, SECTION 1 OF THE TENNESSEE CONSTITUTION</u>

- 40. Plaintiff realleges and incorporates by reference the allegations of paragraphs 1 through 39.
- 41. The Voting Rights Act was enacted in 1965 to achieve full participation for all Americans in our democracy. *See* Rep. No. 417, 97th Cong., 2d Sess. 4, reprinted in 1982 U.S. Code Cong. & Admin. News 177, 181.
- 42. Despite registration gains, however, minority voters still found themselves faced with various electoral practices which lessened the impact of, or "diluted," their votes. Some of the electoral practices which have been identified as vote dilution devices are: elective posts made appointive, gerrymandered electoral boundaries, majority run-offs, and at-large elections. Courts have identified other vote dilution methods.
- 43. In the 1970's, particularly in the South, many cases were filed against governmental bodies by Black and Hispanic citizens claiming that one or more of the above electoral devices wrongfully diluted their votes in violation of the Voting Rights Act and the Constitution. *Brown v. Bd. of Comm'rs*, 722 F. Supp. 380, 383 (E.D. Tenn. 1989).
- 44. The Voting Rights Act of 1965 makes it unlawful to violate this Act that denies any citizen the right to vote on account of race or color, *inter alia*. Specifically, Section 2 of the Voting Rights Act, 42 U.S.C.S. § 1973 provides that:

No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any state or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in 42 U.S.C.S. § 1973(b)(f)(2). A violation of subsection (a) of this section is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the state or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) of this section in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice (emphasis added).

The extent to which members of a protected class have been elected to office in the state or political subdivision is one circumstance which may be considered: provided, that nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

- 45. Furthermore, under Tenn. Const. Art. I, § 5 and Art. IV, § 1, the right of a qualified citizen to vote in Tennessee is protected. Article I, § 5 of the Tennessee Constitution states:
 - "...[E]lections shall be free and equal, and the right of suffrage, as hereinafter declared, shall never be denied to any person entitled thereto, except upon a conviction by a jury of some infamous crime, previously ascertained and declared by law, and judgment thereon by court of competent jurisdiction."

Article IV, Section 1 of the Tennessee Constitution states:

"Every person, being eighteen years of age, being a citizen of the United States, being a resident of the state for a period of time as prescribed by the General Assembly, and being duly registered in the county of residence for a period of time prior to the day of any election as prescribed by the General Assembly, shall be entitled to vote in all federal, state, and local elections held in the county or district in which such person resides. All such requirements shall be equal and uniform across the state, and there shall be no other qualification attached to the right of suffrage."

The Constitution of the State of Tennessee seeks to promote uniformity and synchrony within the voting process in order to ensure equal opportunity for citizens to exercise their fundamental right to vote.

46. Accordingly, the Shelby County Election Commissioners and the Shelby County Election Commission, by limiting the early voting locations in geographically and inaccessible locations for minorities, constitutes an unconstitutional infringement on the right to vote and a violation of the Voting Rights Act of 1965 and the State of Tennessee Constitution.

- 47. The rights of minorities and other members of the public have been, are being, or will be violated by the Shelby County Election Commissioners' conduct in enacting, adopting, and implementing the immediate Resolutions, and immediate and irreparable injury, loss, or damage will be suffered before notice can be served and a hearing held upon the request for injunctive relief set forth in this complaint.
- 48. No adequate remedy at law exists to protect the rights of voters and citizens of Shelby County and other members of the public.
- 49. On these grounds, this Court should issue a judgment declaring that the actions of the Shelby County Election Commissioners and the Shelby County Election Commission are unconstitutional and void and that the Commissioners' adoptions of the Resolution purportedly under its authority is also, therefore, void and of no effect and enjoining respondents from taking any action to enforce, effectuate, or implement the Resolutions.
- 50. On these grounds, this Court should issue a judgment declaring that the Resolutions are *ultra vires*, void, and of no effect and enjoining defendants from taking any action to enforce, effectuate, or implement the Resolutions.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand and pray that this Court:

- 1. Issue a judgment declaring that:
- a. The conduct of two or more of the defendant Shelby County Election
 Commissioners in holding the meetings described above constituted a violation of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201;

- b. That the Resolutions limiting the first four days of early voting beginning July 13,
 2018 to four locations in Shelby County passed by the Election Commissioners on
 or about June 26 and June 29, 2018 are unconstitutional, void, and of no effect;
- That the Resolutions limiting the first four days of early voting beginning July 13,
 2018 to four locations in Shelby County passed by the Election Commissioners on or about June 26 and June 29, 2018 violate the Voting Rights Act of 1965.
- d. That the Resolutions are *ultra vires*, void, and of no effect;
- 2. Immediately issue an order temporarily restraining the Shelby County Election Commissioners, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from discussing, deliberating toward a decision, or reaching any decision during private meetings, meetings held in secret, or meetings held without adequate public notice, or otherwise conducting meetings.in violation of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201;
- 3. Immediately issue an order temporarily restraining all defendants, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from taking any action to enforce, effectuate, or implement the Resolution, including but not limited to:
 - (a) Approving the minutes of the Shelby County Election Commissioners June 26 and June 29, 2018 meetings insofar as such approval may relate to the opening of four locations for the first four days of early voting for the August 2018 election, which places a significant burden on the right to vote for racial minorities in the core of Shelby County;

- (b) Submitting the Resolution to defendant Linda Phillips, Administrator for defendant Shelby County Election Commission for signature or other formal consideration, including effectuation of the resolution;
- 4. Enter temporary and permanent injunctions enjoining defendants Shelby County Election Commissioners, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from any other violations of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201; the Voting Rights Act of 1965, and the aforementioned provisions of the Tennessee Constitution.
- Adjudge against defendants Shelby County Election Commissioners proper
 penalties for violating the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through
 8-44-201;
- 6. Grant Plaintiffs an award of their reasonable fees and expenses incurred in bringing this action;
- 7. Order the Defendants to open early voting on July 13, 2018 at the exact same time and locations used by Defendants for the early voting period during the May 2018 election.
- 8. File written findings of fact and conclusions of law and final judgments, pursuant to Tenn. Code Ann. § 8-44-106(b), and direct that these shall be recorded in the minutes of the Election Commission;
- 9. Pursuant to Tenn. Code Ann. § 8-44-106(d), retain jurisdiction over the parties and subject matter for a period of one year from the date of entry of its final judgment, and order the defendants Shelby County Election Commissioners to report in writing semi-annually to the Court on compliance with the Tennessee Open Meetings Act; and
 - 10. Grant Plaintiffs such general and further relief to which they may be entitled.

THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF IN THIS CASE.

THE WHARTON LAW FIRM

By: _____ (BPR-No. 26937)

ANDRE' C. WHARTON (BPR No. 22588)

Attorneys for Plaintiff 1575 Madison Ave.

Memphis, Tennessee 38104

Tel: (901) 726-6884 Fax: (901) 726-6844

STATE OF TENNESSEE)
)
COUNTY OF SHELBY)

Dr. Noel Hutchinson, being sworn, states as follows:

- 1. I am a registered voter in Shelby County, Tennessee and I am a plaintiff in this action.
- 2. I have reviewed this Complaint for Injunctive Relief and Declaratory Judgment and the facts stated in it are true to the best of my knowledge, information, and belief.

Dr. Noel Hutchinson

Sworn to and subscribed before me this

_ day/of July, 2018.

STATE OF TENNESSEE)
)
COUNTY OF SHELBY)

Angela Barksdale, being sworn, states as follows:

- 1. I am a registered voter in Shelby County, Tennessee and I am a plaintiff in this action.
- 2. I have reviewed this Complaint for Injunctive Relief and Declaratory Judgment and the facts stated in it are true to the best of my knowledge, information, and belief.

Angela Barksdale

Sworn to and subscribed before me this 6th

day of July, 2018.

STATE OF TENNESSEE)
COUNTY OF SHELBY)

Tamara Hendrix, being sworn, states as follows:

- 1. I am a registered voter in Shelby County, Tennessee and I am a plaintiff in this action.
- 2. I have reviewed this Complaint for Injunctive Relief and Declaratory Judgment and the facts stated in it are true to the best of my knowledge, information, and belief.

Tamara Hendrix

Sworn to and subscribed before me this 6°

day of July, 2018.

STATE OF TENNESSEE)
)
COUNTY OF SHELBY)

Vickie Terry, being sworn, states as follows:

- 1. I, Vickie Terry, am the Executive Director of the NAACP Memphis Branch.
- 2. That the NAACP Memphis Branch is an organization that represents and advocates for the equal treatment and enforcement of the law for racial minorities in Tennessee.
- 3. That the NAACP Memphis Branch is affected by the allegations contained herein, as the proposed course of action by Defendants is a fundamental impairment of the ability of racial minorities to exercise their constitutional and statutorily protected right to vote.
- 4. That NAACP Memphis Branch is a non-profit organization operating in Memphis and with its headquarters based in Memphis, Shelby County, Tennessee.
- 5. I have reviewed this Complaint for Injunctive Relief and Declaratory Judgment and the facts stated in it are true to the best of my knowledge, information, and belief.

Lichie Dory Executive Director of NAACP Memphis
VICKIE TERRY Executive Director of NAACP Memphis

Sworn to and subscribed before me this 4/4

STATE OF TENNESSEE)
)
COUNTY OF SHELBY)

Janice F. Scott, being sworn, states as follows:

- 1. I am a registered voter in Shelby County, Tennessee and I am a plaintiff in this action.
- 2. I have reviewed this Complaint for Injunctive Relief and Declaratory Judgment and the facts stated in it are true to the best of my knowledge, information, and belief.

Janice F. Scott

Sworn to and subscribed before me this ______

fra Mil

FIAT

TO THE CLERK AND MASTER:

Issue the following temporary restraining order:

Against the Shelby County Election Commissioners of Shelby County, Tennessee,
Norma Lester, Robert Meyers, Dee Nollner, Anthony Tate and Steve Stamson in their Official
Capacities as Commissioners of the Shelby County Election Commission of Shelby County,
Tennessee; and Linda Phillips, in her Official Capacity as Administrator for the Shelby County
Election Commission, their officers, agents, employees, attorneys, and any other persons in
active concert or participation with defendants, who receive actual notice of this Court's order
prohibiting them from:

- 1. Discussing, deliberating toward a decision, or reaching any decision during private meetings, meetings held in secret, or meetings held without adequate public notice or otherwise conducting meetings in violation of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201;
- 2. Taking any action to enforce, effectuate, or implement the Resolutions, including but not limited to:
 - (a) Approving the minutes of the Shelby County-Election Commissioners June 26
 and June 29, 2018 meetings insofar as such approval may relate to the opening of
 four locations for the first four days of early voting for the August 2018 election,
 which places a significant burden on the right to vote for racial minorities in the
 core of Shelby County;

(b) Submitting the Resolution to defendant-Linda Phillips, Administrator for

defendant Shelby County Election Commission for signature or other formal

consideration, including effectuation of the resolutions;

and set a hearing for July 9, 2018, at 1:30 p.m.

2500 m pars

CHANCELLOR

DATE: July 6th, 2018

TIME: 3:12 Duc

					; /	
STATE OF TENNESSEE 30th JUDICIAL DISTRICT CHANCERY COURT	SUM	IMONS**		DOCKET NUME CH- 18-10		
Plaintiff National asso the advancement of People Memphis Bro (NAACP), et Al		Defendant Sh-elby	Cour	ity Elect	ian Comm	i e ti
TO: (NAME AND ADDRESS OF DEFENDA Steve Stam 980 Nix Memph; 5, 11		<u>re</u> 4		Method of S Shelby Cour Private Proc Out of Coun Secretary of Comm. Of In	nty Sheriff cess Server ty Sheriff* f State*	
You are summoned to defend a civil action file	R E	CEIVE		Certified Ma Other *Attach Req	pired Fees	
must be made within thirty (30) days from Court and send a copy to the Plaintiff/Plainti of service, judgment by default may be rend and the attached documents should be added.	the date this summon it's attorney at the add lered against you of the dressed to the Attorne	ns is served upon you. tress lister transwork the elief sought in the	You must f Unail to de Complaint.	ile your defense wi fend this action wit	th the Clerk of th hin thirty (30) (lays
Attorney for Plaintiff or Plaintiff if filing P (Name, address & telephone number)		Donna I	Russe	ell, Clerk and	Master ER	(So)
			Deputy Clei	R & Master 808 Memphis, 7	38103	
TO THE SHERIFF:		Came to handday of			20 CHOT	
	CERTIFICATION	Sheriff ON (IF APPLICABLE	E) .			
I, Donna L. Russell, Clerk & Master of the Chance of Tennessee, Shelby County, do certify this to be	ry Court in the State	Donna L. Russell, Cle	-	ter		
copy of the original summons issued in this case		Ву:	D. C.	& M.		-

Case 2:18-cv-02534-SHM-cgc Document 1-1 Filed 08/02/18 Page 24 of 100

**Submit one original and one copy for each defendant to be served.

 \mathfrak{E} If you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

Notice of Personal Property Exemption:

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or gamishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

	VICE OF SUMMONS
I hereby certify that I <u>HAVE</u> served the within summons:	W Zu
By delivering on the	. 20 / at am/pm a copy of the
summons and a copy of the Complaint to the following Defendant	Heve Stamson
at 900 No KON Drive Me	1nfhis m, 58/34
Signature of person accepting services	By:
Signature of person decepting service	Sheriff or other authorized person to serve process
I hereby certify that I HAVE NOT served the within summons:	ERVICE OF SUMMONS
To the named defendant	because
	for the following reason(s):
Thisday of, 20	· · · · · · · · · · · · · · · · · · ·
	By: Sheriff or other authorized person to serve process
	Siletin of other authorized person to serve process
RETURN ON SERVICE	E OF SUMMONS BY MAIL
I hereby certify and return that on the day of	, 20, 1 sent, postage prepaid, by registered return receipt
mail or certified return receipt mail, a certified copy of the summons a	nd a copy of the complaint in case CH to the
defendant On the	
received the return receipt, which had been signed by	on theday of,
20 The return receipt is attached to this original summons to	o be filed by the Chancery Court Clerk & Master.
Sworn to and subscribed before me on thisday of	
, 20	Signature of Plaintiff's attorney or other person authorized by statute to serve process.
Signature ofNotary Public orDeputy Court Clerk:	
,	
My Commission Expires:	
ATTACH DETHINAL	
ATTACH RETURN	
RECEIPT HERE	
(IF APPLICABLE)	

R & R SUBPOENA SERVICE P. O. BOX 3809 MEMPHIS, TENNESSEE 38173

Office: 901-387-1158

901-482-0415; Mobile

Fax: 901.387.1158

Email: rayhob@bellsouth.net

Raymond Hobson, Owner Robbic D. Hobson, Vice President Breanna Nicole Hobson, Office Manager

CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, **RAYMOND HOBSON**, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED, TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED, AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY,
THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT
COPY OF THE COMPLAINT ON STEVE STAMSON BY SERVING JOE YOUNG AT 980
NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

2018

SWORN TO SUBSCRIBED BEFORE ME THIS

DAY OF July, 2018

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415 NOTARY COSTATE

		4/
STATE OF TENNESSEE 30th JUDICIAL DISTRICT	SUMMONS**	DOCKET NUMBER X
Plaintiff National asso	Ciation For Defendant	CH-70-7003 - 2
the advancement of Co Memphis Branch (N	lored People	
Memphis Isranch) (N	Shelby a	bunty Election Commetal
TO: (NAME AND ADDRESS OF DEFENDAN		Method of Service:
980 Nixor	Drive	Shelby County Sheriff Private Process Server
Marsh	7 3 912 1	Out of County Sheriff
inemphis,	IN. 58134	Secretary of State*
i 1	•	Comm. Of Insurance*
		☐ Certified Mail ☐ Other
		*Attach Required Fees
	CIVE	E D
	against you in 12. Clamce v Court of Shelby C	
nust be made within thirty (30) days from	the date this summons is served upon your You	u must file your defense with the Clerk of the
Court and send a copy to the Plaintiff/Plaintiff	's attorney at the address littled below. If you i	fail to defend this action within thirty (30) days
of service, judgment by default may be rende	red against you for the relief sought in the Cor	uplein: Questions regarding this summons
and the attached documents should be addr		oni
Attorney for Plaintiff or Plaintiff if filing Pro	o Se: 1/4/	14/11/18
(Name, address & telephone number)	ISSUED of	20_70
	By:	Russell, Clerk and Masterny Co
	140 Adams.	Room 308 Memphis, TN 38103
TO THE SHERIFF:	Came to hand	COMPT
	day of	
	Sheriff	
	CERTIFICATION (IF APPLICABLE)	
Donna L. Russell, Clerk & Master of the Chancery		& Master
Tennessee, Shelby County, do certify this to be a py of the original summons issued in this case.		
ry or the original summons issued in this case.	Ву:	D. C. & M.

 ξ If you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

Notice of Personal Property Exemption:

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary, however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

^{**}Submit one original and one copy for each defendant to be served.

	VICE OF SUMMONS
I hereby certify that I HAVE served the within summons: By delivering on the	20 18 at 4:00 am/pm a copy of the
summons and a copy of the Complaint to the following Defendant	
at 980 PXX an Drive M	
Doe Young	Ву:
Signature of person accepting service	Sheriff or other authorized person to serve process
	ERVICE OF SUMMONS
I hereby certify that I HAVE NOT served the within summons:	
To the named defendant	because
is (are) not to be found in this county after diligent search and inquiry	for the following reason(s):
Thisday of; 20	Day.
	By: Sheriff or other authorized person to serve process
RETURN ON SERVICE	E OF SUMMONS BY MAIL
I hereby certify and return that on the day of	, 20, I sent, postage prepaid, by registered return receipt
mail or certified return receipt mail, a certified copy of the summons a	nd a copy of the complaint in case CH to the
defendant On the	day of, 20, I
received the return receipt, which had been signed by	
20 The return receipt is attached to this original summons to	
Sworn to and subscribed before me on thisday of	
, 20	Signature of Plaintiff, Plaintiff's attorney or other person authorized by statute to serve process.
	audionied by statute to serve process.
Signature ofNotary Public orDeputy Court Clerk:	
My Commission Expires:	
ATTACH RETURN	
RECEIPT HERE	
(IF APPLICABLE)	
,	

R & R SUBPOENA SERVICE P. O. BOX 3809 MEMPHIS, TENNESSEE 38173

Office: 901-387-1158

901-482-0415; Mobile Email: rayhob@bellsouth.net

Fax: 901.387.1158

Raymond Hobson, Owner Robbie D. Hobson, Vice President Breanna Nicole Hobson, Office Manager

CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, RAYMOND HOBSON, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED. TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED, AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY, THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT COPY OF THE COMPLAINT ON ANTHONY TATE BY SERVING JOE YOUNG AT 980 NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

SWORN TO SUBSCRIBED BEFORE ME THIS 9 DAY OF JULY 2018.

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415

STATE OF TENNESSEE 30th JUDICIAL DISTRICT CHANCERY COURT Plaintiff National Association for the Chancery Court in the State of Tennessee, Stelley Courty, Certify this to be a true and correct opy of the original summons issued in this case. DOCKET NUMBER CH. 6-1003-3 DOCKET NUMBER CH. 6-1003-3 DOCKET NUMBER CH. 6-1003-3 DOCKET NUMBER CH. 6-1003-3 Defendant Shellay County Clearkan General Shellay County Clearkan Method of Service: Shellay County Sheriff Shellay County Sh					\searrow
TO (NAME AND ADDRESS OF DEFENDANT) Dee Not Note N	30th JUDICIAL DISTRICT CHANCERY COURT	SUMMONS**		DOCKET NUM	18ER 103-1
Method of Service: Shelby County Sheriff	Plaintiff National ASSOCIA	ation For AL Reope CTAL	Defendant Shelby Commission	County con, GAL	sleotion_
Triviate Process Server Out of County Sheriff Secretary of State Comm. Of Insurance Certified Mail Other Attach Required Pees		NT)		Method of	Service:
Court and send a copy to the Plaintiff/Plaintiff's attorney at the address listed below. If you fail to defend this action within thirty (30) of service, judgment by default may he rendered against you for the relief sought in the Complaint. Questions regarding this summor and the attached documents should be addressed to the Attorney/Plaintiff listed below. Attorney for Plaintiff or Plaintiff filing Pro Se: (Name, address & telephone number) Donna L. Russell, Clerk & Master To THE SHERIFF: Came to hand day of CERTIFICATION (IF APPLICABLE) Donna L. Russell, Clerk & Master Certify this to be a true and correct by or original summons issued in this case. By: Donna L. Russell, Clerk & Master To onna L. Russell, Clerk & Master	Memphis TN	38134 RE	JUL 09 2018 TUL 09 2018	Private Pr Out of Cou Secretary Comm. Of	ocess Server inty Sheriff* of State*
(Name, address & telephone number) ISSUED	Court and send a copy to the Plaintiff/Plainti. of service, judgment by default may he rend	ff's attorneyat the ad ered against you for	ons is served upon you. Fourmonders so listed below. If you fail to the complaint the Complaint in the Compl	o defend this action w	within thirty (30) days
TO THE SHERIFF: Came to hand day of	Attorney for Plaintiff or Plaintiff if filing P (Name, address & telephone number)	ro Se:	ISSUEDof	July_	_20_/8
TO THE SHERIFF:			By: Miller Deputy	Clerk & Master	Y TO
CERTIFICATION (IF APPLICABLE) Donna L. Russell, Clerk & Master of the Chancery Court in the State of Tennessee, Shelby County, do certify this to be a true and correct copy of the original summons issued in this case. Donna L. Russell, Clerk & Master By:	TO THE SHERIFF:		Came to hand		_20
, Donna L. Russell, Clerk & Master of the Chancery Court in the State of Tennessee, Shelby County, do certify this to be a true and correct topy of the original summons issued in this case. Donna L. Russell, Clerk & Master By:			Sheriff		
of Tennessee, Shelby County, do certify this to be a true and correct copy of the original summons issued in this case. By:		CERTIFICATI	ON (IF APPLICABLE)		
	of Tennessee, Shelby County, do certify this to be	a true and correct		laster	
	oby or tric or Brust 2011(Mpus 1920ed to citiz case	· · · · · · · · · · · · · · · · · · ·	O. C. & M,		

Case 2:18-cv-02534-SHM-cgc Document 1-1 Filed 08/02/18 Page 30 of 100

Notice of Personal Property Exemption:

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

^{**}Submit one original and one copy for each defendant to be served.

[🖒] if you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

RETURN OF SERVICE OF SUMMONS I hereby certify that I HAVE served the within summons: By delivering on the ______ _day of __ summons and a copy of the Complaint to the following Defendant Sheriff or other authorized person to serve process Signature of person accepting ser RETURN OF NON-SERVICE OF SUMMONS I hereby certify that I HAVE NOT served the within summons: beçause To the named defendant ___ is (are) not to be found in this county after diligent search and inquiry for the following reason(s):______ This _____day of _____ Sheriff or other authorized person to serve process RETURN ON SERVICE OF SUMMONS BY MAIL I hereby certify and return that on the _____ day of ______, 20_____, I sent, postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in case CH-________ to the On the ______, 20_____, 1 received the return receipt, which had been signed by ______ on the _____ day of _____, _____. The return receipt is attached to this original summons to be filed by the Chancery Court Clerk & Master. Sworn to and subscribed before me on this _____day of Signature of Plaintiff's attorney or other person authorized by statute to serve process. _____, 20_____. Signature of ____Notary Public or ____Deputy Court Clerk: My Commission Expires: ATTACH RETURN RECEIPT HERE (IF APPLICABLE)

R & R SUBPOENA SERVICE P. O. BOX 3809 MEMPHIS, TENNESSEE 38173

Office: 901-387-1158

901-482-0415; Mobile

Fax: 901.387.1158

Email: rayhob@bellsouth.net

Raymond Hobson, Owner
Robbie D. Hobson, Vice President
Breanna Nicole Hobson, Office Manager

CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, **RAYMOND HOBSON**, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED, TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED, AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY,
THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT
COPY OF THE COMPLAINT ON DEE NOLLER BY SERVING JOE YOUNG AT 980
NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

AFFIANT /PRIVATE SERVER

SWORN TO SUBSCRIBED BEFORE ME THIS

9 DAY OF July, 2018

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415 OT ATEX WITH

TENNESSEE NOTARY PUBLIC

			(\/	
STATE OF TENNESSEE			DOCKET NUMBER	
30th JUDICIAL DISTRICT CHANCERY COURT	SUMMONS**		сн-18-1003-2	
Plaintiff		Defendant		
Mational Assoc				
Advancement of Color		Single	(comm.)	
memphis breach (NAACP) et au	Thelly (ourty Election CA	
TO: (NAME AND ADDRESS OF DE	FENDANT)	<u> </u>	Method of Service:	
hobert Meye	(S in his	< 0	Metriod of Service:	
concerte as of	2061 7 120	ELVED	Shelly County Sheriff Private Process Server	
Capiacity as +	CIM. CH TALK	E+ .	Out of County Sheriff*	
Shelly County	4 Elective C	5018	Secretary of State*	
Comm. 980	Mixon Move	IIL DY SURT	☐ Comm. Of Insurance* ☐ Certified Mail	
	1111/0X 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Por COO.	Other	
Memp	MIS, TN 38134	ANCERY COURT	*Attach Required Fees	
You are summoned to defend a civil ac	ction filed against you in Gie C	hancery Court of Shelby Count	y, Tennessee. Your defense to this action	
			st file your defense with the Clerk of the	
Court and send a copy to the Plaintiff,	/Plaintiff's attorney at the add	ress listed below. If you fail to	o defend this action within thirty (30) days	
of service, judgment by default may	be rendered against you for t	he relief sought in the Compla	int. Questions regarding this summons	
and the attached documents should	be addressed to the Attorne	y/Plaintiff listed below.		
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	. 10		
Attorney for Plaintiff or Plaintiff if	filing Pro Se:	ISSUED Of (Julu 30/8 1	
(Name, address & telephone number)		ISSUED _CEOI	20 7	
		Donna I. Ruc	sell, Clerk and Master	
		Dillia L Rus	sen, cierkand Master	
		/ 1,00 () ()#-	Arelialation	
		By: Denuty	Clerk & Master	
			S. G. M. Market M. M. S.	
TO THE SHERIFF:		140 Adams, Roc Came to hand	m 308 Memphis, TN 38103	
	······································	day of		
		Sheriff		
	CERTIFICATION	ON (IF APPLICABLE)		
l, Donna L. Russeil, Clerk & Master of the		Donna L. Russell, Clerk & M	laster	
of Tennessee, Shelby County, do certify t	his to be a true and correct			
copy of the original summons issued in this case.		Ву:	D. C. & M.	

Notice of Personal Property Exemption:

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptucles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

^{**}Submit one original and one copy for each defendant to be served.

[🖰] If you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

RETURN OF SERVICE OF SUMMONS			
I hereby certify that I <u>HAVE</u> served the within summons:	20 18 41011		
By delivering on the			
summons and a copy of the Complaint to the following Defendant Robert May 1965			
_	By:		
Signature of person accepting service	Sheriff or other authorized person to serve process		
RETURN OF NON-SERVICE OF SUMMONS			
Thereby certify that I <u>HAVE NOT</u> served the within summons:	Lancovic.		
To the named defendant			
is (are) not to be found in this county after diligent search and inquiry for the following reason(s):			
Thisday of, 20	By: Sheriff or other authorized person to serve process		
	Shertit or other authorized person to serve process		
RETURN ON SERVICE OF SUMMONS BY MAIL			
I hereby certify and return that on the day of	, 20, I sent, postage prepaid, by registered return receipt		
mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in case CH to the			
defendant On the day of I			
received the return receipt, which had been signed by on the day of,			
20 The return receipt is attached to this original summons to be filed by the Chancery Court Clerk & Master.			
Sworn to and subscribed before me on thisday of	Signature of Plaintiff, Plaintiff's attorney or other person		
, 20	authorized by statute to serve process.		
Signature ofNotary Public orDcputy Court Clerk:			
My Commission Expires:			
ATTACH RETURN			
RECEIPT HERE			
(IF APPLICABLE)			
	·		

R & R SUBPOENA SERVICE P. O. BOX 3809 MEMPHIS, TENNESSEE 38173

Office: 901-387-1158

901-482-0415: Mobile Email: rayhob@bellsouth.nct

Fax: 901.387.1158

Raymond Hobson, Owner Robbie D. Hobson, Vice President Breanna Nicole Hobson, Office Manager

CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, **RAYMOND HOBSON**, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED, TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED, AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY,
THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT
COPY OF THE COMPLAINT ON ROBERT MEYERS BY SERVING JOE YOUNG AT
980 NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

AFFIANT /PRIVATE SERVER

SWORN TO SUBSCRIBED BEFORE ME THIS

9 DAY OF Joly, 2018.

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415 NOTARY PURING

OF TENNESSEE NOTARY PUBLIC

	9571		
	1 7	+	
STATE OF TENNESSEE 30th JUDICIAL DISTRICT	SUMMONS**	DOCKET NUMBER CH 18-1003-2	
Plaintiff National associa	1 .	CH- 10 - 10 - 2	
People memphis Brank (NAACP), et Al		y Election Comm., et al	
TO: (NAME AND ADDRESS OF DEFENDANT) NORM Q ZESTER		Method of Service:	
980 Nixen 1	rive	Shelby County Sheriff	
Memphis, TW	38134		
<u> </u>	RECEIVED		
You are summoned to defend a civil action filed against you in the Chancery Court of Specific County, Tennessee. Your defense to this action must be made within thirty (30) days from the date this summons is salved upon you. You must file your defense with the Clerk of the Court and send a copy to the Plaintiff/Plaintiff's attorney at the address listed below if you fail to defend this action within thirty (30) days of service, judgment by default may be rendered against you for the plaintiff listed below.			
Attorney for Plaintiff or Plaintiff if filing Pro Se: (Name, address & telephone number)	ISSUED W of _	uly	
	By: // Oll / A	sell, Clerk and Master	
	140 Adams, Roor	n 308 Memphs, TN/38103	
TO THE SHERIFF:	Came to handday of	20	
	Sheriff		
CERTIFICATION (IF APPLICABLE)			

PageID 40

I, Donna L. Russell, Clerk & Master of the Chancery Court in the State

of Tennessee, Shelby County, do certify this to be a true and correct

Notice of Personal Property Exemption:

copy of the original summons issued in this case.

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or gamishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

Donna L. Russell, Clerk & Master

^{**}Submit one original and one copy for each defendant to be served.

[🖰] If you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

RETURN OF SER	VICE OF SUMMONS			
I hereby certify that I HAVE served the within summons:	VICE OF SOMMOND			
By delivering on the day of	. 20 18 at 4:00 amppin a copy of the			
summons and a copy of the Complaint to the following Defendant	Vurna Lester			
at 980 NIXON OrIVE MICH	Phis IN 3813.1			
Joe Vound	Be Kindlet			
The return receipt is attached to this original summons to be filed by the Chancery Court Clerk & Master. In to and subscribed before me on thisday of . Signature of Plaintiff, Plaintiff's attorney or other person authorized by statute to serve process. Signature of Plaintiff, Plaintiff's attorney or other person authorized by statute to serve process.				
	ERVICE OF SUMMONS			
· · · · · · · · · · · · · · · · · · ·	No. and a			
	for the following reason(s):			
Thisday of	By:			
<u> </u>	Sheriff or other authorized person to serve process			
RETURN ON SERVICE	E OF SUMMONS BY MAIL			
I hereby certify and return that on the day of	, 20, I sent, postage prepaid, by registered return receipt			
mail or certified return receipt mail, a certified copy of the summons at	nd a copy of the complaint in case CH to the			
defendant On the	day of			
on theday of The return receipt is attached to this original summons to be filed by the Chancery Court Clerk & Master. worn to and subscribed before me on thisday of . Signature of Plaintiff, Plaintiff's attorney or other person				
	l - '			
	authorized by statifie to serve process.			
Signature ofNotary Public orDeputy Court Clerk:				
My Commission Expires:				
ATTACH RETURN				
RECEIPT HERE				
(IE APPLICARIE)				
in Articopte)				

R & R SUBPOENA SERVICE P. O. BOX 3809 MEMPHIS, TENNESSEE 38173

Office: 901-387-1158

901-482-0415: Mebile

Fax: 901.387.1158

Email: rayhob@bellsouth.net

Raymond Hobson, Owner Robbie D. Hobson, Vice President Breanna Nicole Hobson, Office Manager

CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, RAYMOND HOBSON, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED, TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED, AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY, THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT COPY OF THE COMPLAINT ON NORMA LESTER BY SERVING JOE YOUNG AT 980 NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

SWORN TO SUBSCRIBED BEFORE ME THIS 7 DAY OF JULY 2018.

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415

			'	
STATE OF TENNESSEE 30th JUDICIAL DISTRICT CHANCERY COURT	SU	MMONS**	DOCKET NUMBER CH-18- 1003	-2
National associational advancement of Memphis Branch	1 COLON ECC Tropo	Defendant Shelby Co	unty Election Co	omn, eta
TO: (NAME AND ADDRESS OF DE LA INCIA NI)	lips in	i-er	Method of Service:	
County Election	Adm. of the r Comm.	. Shelby	☐ Sholly County Shell Private Process Ser ☐ Out of County Sher ☐ Secretary of State*	ver
180 N	ikon Drive	78/34 VED	☐ Comm. Of Insurance ☐ Certified Mail ☐ Other *Attach Required Fe	
Court and send a copy to the Plaintiff of service, judgment by default may and the attached documents should Attorney for Plaintiff or Plaintiff if (Name, address & telephone number)	be rendered against you for be addressed to the Atta	the roll Dught in the Cor		
		By: De	Russell, Clerk and Masser	CCENY CO.
TO THE SHERIFF:		Came to hand		13.500
		day of		
	CERTIFICAT	 ION (IF APPLICABLE)	•	
I, Donna L. Russell, Clerk & Master of the of Tennessee, Shelby County, do certify topy of the original summons issued in ti	Chancery Court in the State his to be a true and correct	Donna L. Russell, Clerk	& Master	
wyy or the original summons issued in the	MI QUOLI		D. C. & M.	

Notice of Personal Property Exemption:

TO THE DEFENDANT(S).

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

^{**}Submit one original and one copy for each defendant to be served.

 $[\]xi$ If you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

DESTUDY OF SER	VICE OF CUMMONS
RETURN OF SER I hereby certify that I HAVE served the within summons:	VICE OF SUMMONS
, ——	. 20 /8 aj 4 · 00 am/am/a copy of the
summons and a copy of the Complaint to the following Defendant	Linda Phillips
at 980 N. LON Dr. Ve Men	
Signature of person accepting service	By: Sheriff or other authorized person to serve process
	ERVICE OF SUMMONS
I hereby certify that I HAVE NOT served the within summons:	SKV1045 OT DOMINIONS
To the named defendant	because
is (are) not to be found in this county after diligent search and inquiry	for the following reason(s):
This day of, 20	
,	By: Sheriff or other authorized person to serve process
DETUDN ON SERVICE	C OF SUMMONS BY MAIL
I hereby certify and return that on the day of	·
mail or certified return receipt mail, a certified copy of the summons as	
defendant On the	day of, 20, 1
received the return receipt, which had been signed by	on the day of,
20 The return receipt is attached to this original summons to	be filed by the Chancery Court Clerk & Master.
Sworn to and subscribed before me on thisday of	
, 20	Signature of Plaintiff, Plaintiff's attorney or other person authorized by statute to serve process.
Signature ofNotary Public orDeputy Court Clerk:	
signatus si, sata, (asia) sisepai, sata ii	
M. Commission Funiture	
My Commission Expires:	
ATTACH RETURN	
RECEIPT HERE	
(IF APPLICABLE)	

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TENNESSEE 38173

Office: 901-387-1158

901-482-0415: Mobile Email: rayhob@bellsouth.net Fax: 901.387.1158

Raymond Hobson, Owner

Robbie D. Hobson, Vice President Breanna Nicole Hobson, Office Manager

CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, RAYMOND HOBSON, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED, TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED. AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY, THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT COPY OF THE COMPLAINT ON LINDA P. PHILLIPS BY SERVING JOE YOUNG AT 980 NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

SWORN TO SUBSCRIBED BEFORE ME THIS \$\frac{1}{2}\$ DAY OF \$\frac{1}{2} J_1 \text{OR}\$

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415

				` \	
STATE OF TENNESSEE 30th JUDICIAL DISTRICT CHANGERY COURT	SUM	IMONS**	DOCKET NU	MBER 1003-2	
Plaintiff NAACI Maghis Arrivale Hathinson, Tamara Har	Brik, dale , pr. Nort Livix . 2 Janke F. Soot	Shelby (County E	lection Comm	Æ.
1 - 1 - 1 - 1	Air Commission		_ /	of Service:	
Memph	Con Drive	CEIVE	☐ Private 1 ☐ Out of Co ☐ Secretary	of Insurance* Mail	
You are summoned to defend a civil and must be made within thirty (30) da Court and send a copy to the Plaintiff, of service, judgment by default may and the attached documents should	tion filed against you in the C ys from the date this summor /Plaintiff's attorney at the add the rendered against you	haldby about of Shelby ns is served upon wood wi reasy of the low. If you de relief sought in the Co	County, Tennessee. Your of the must file your defense fail to defend this action	with the Clerk of the within thirty (30) days	
Attorney for Plaintiff or Plaintiff if (Name, address & telephone number)	filing Pro Se:	issued of	July		
		By: D	Russell, Clerk a	nd Master	
TO THE SHERIFF:		Came to handday of		20	
		Sheriff			
	CERTIFICATIO	ON (IF APPLICABLE)			
I, Donna L. Russell, Clerk & Master of the of Tennessee, Shelby County, do certify the	nis to be a true and correct	Donna L. Russell, Cleri	k & Master		
copy of the original summons issued in th	IIS CaSE.	Ву:	D. C. & M.		

Notice of Personal Property Exemption:

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family ponraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state docket number on list.

^{**}Submit one original and one copy for each defendant to be served.

⁵ If you need assistance or accommodations because of a disability, please call the ADA Coordinator at (901)222-2341.

957/

	VICE OF SUMMONS
Thereby certify that I <u>HAVE</u> served the within summons:	26
	.20 / 8 at //OU aro/frm a copy of the
summons and a copy of the Complaint to the following Defendant	help (anti) Election
a 480 NixoNDrive, Mon	14 his 12 38/30
Signature of person accepting service	By: Sheriff or other authorized person to serve process
	ERVICE OF SUMMONS
I hereby certify that I <u>HAVE NOT</u> served the within summons:	
To the named defendant	because
is (are) not to be found in this county after diligent search and inquiry	for the following reason(s):
Thisday of	Ву:
<u> </u>	By: Sheriff or other authorized person to serve process
RETURN ON SERVICE	OF SUMMONS BY MAIL
I hereby certify and return that on the day of	, 20, I sent, postage prepaid, by registered return receipt
mail or certified return receipt mail, a certified copy of the summons as	nd a copy of the complaint in case CH to the
defendant On the	day of, 20, 1
received the return receipt, which had been signed by	on the day of,
20 The return receipt is attached to this original summons to	be filed by the Chancery Court Clerk & Master.
Sworn to and subscribed before me on thisday of	
, 20	Signature of Plaintiff, Plaintiff's attorney or other person authorized by statute to serve process.
Signature ofNotary Public orDeputy Court Clerk:	
My Commission Expires:	
ATTACH RETURN	
RECEIPT HERE	
(IF APPLICABLE)	
(III AFFLICABLE)	·

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CIRCUIT / CHANCERY AFFIDAVIT OF SERVICE

STATE OF TENNESSEE

CH-18-1003-2

COUNTY OF SHELBY

COMES NOW AFFIANT, **RAYMOND HOBSON**, HE OR SHE IS OVER THE OF 18 YEARS, AND QUALIFIED, TO GIVE TESTIMONY IN THE COURTS OF THE UNITED STATES AND COURTS OF TENNESSEE HAVING SO STATED, AFFIANT MAKES OATH WITH RESPECT TO THE TRUTH AND ACCURACY OF THE INFORMATION, ALL OF WHICH PERSONAL TO HIS OR HER FIRSTHAND, BELOW SET OUT.

ON THE 6th DAY OF JULY, 2018 AT 4:00 P.M., I SERVED BY HAND DELIVERY,
THE SUMMONS WHICH THIS AFFIDAVIT IS ATTACHED WITH A TRUE AND EXACT
COPY OF THE COMPLAINT ON SHELBY COUNTY ELECTION COMMISSION BY
SERVING JOE YOUNG AT 980 NIXON DRIVE, MEMPHIS, TN. 38134.

MEMPHIS, SHELBY COUNTY, TENNESSEE FURTHER, AFFIANT SAITH NOT

AFFIANT /PRIVATE SERVER

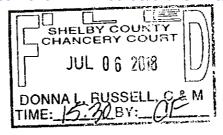
SWORN TO SUBSCRIBED BEFORE ME THIS

9 DAY OF JULY , 2018.

MY COMMISSION EXPIRES

R & R SUBPOENA SERVICE P.O. BOX 3809 MEMPHIS, TN 38173 901.482.0415 NOTARY PUBLI

OF TENNESSEE NOTARY PUBLIC



INJUNCTION BOND

No. CH-18-1005-2
We Alexander Whater, Attorney al Alex Whater,
We Alexander Whonter, Attorney al Abre Whoten, Attorney the whater
as principal and
as surety acknowledge
ourselves indebted to Shully Ciny Chulm Commier of a
in the sum of
Two hands diffy dellas (\$250. 4) Dollars
The condition of the above Bond is such, that whereas the said NATCP-Mughi, And Bank old
Or Not Unteriment, Tamura Hulma, James Scatt Complainant this day filed Verifical Complaint in the Chancery Court
of Shelby County against the said Shelby Cuty Elutro Commission et al
Defendant and obtained an order for the issuance of the Writ of Injunction, in accordance with said order, upon
the execution of this Bond. Now, if the said Complainant shall pay such damages and costs as may be awarded
by the Chancery Court in dismissing the complaint, then this obligation to be void, othewise to remain in full
force and effect.
Witness our hands and seals this, the
BRR # 26937 ANDREWHARTON (22588)
1575 Madison Avenue
Memphis, Tennessee 38104

IN THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE MEMPHIS BRANCH (NAACP), ANGELA BARKSDALE, DR. NOEL HUTCHISON, TAMARA HENDRIX and JANICE F. SCOTT,

No. CH-18-1003-2

Plaintiffs,

VS.

SHELBY COUNTY ELECTION COMMISSION, LINDA PHILLIPS in her official capacity as Administrator of the Shelby County Election Commission, NORMA LESTER, ROBERT MEYERS, DEE NOLLNER, ANTHONY TATE, and STEVE STAMSON, in their Official Capacities as Members of the Board of Commissioners of the Shelby County Election Commission,

Defendants.

DEFENDANTS' MOTION TO TRANSFER CASE TO PART III

COME NOW, Defendants, Shelby County Election Commission, Linda Phillips in her official capacity as the Administrator of Elections, Norma Lester, Robert Meyers, Dee Nollner, Anthony Tate, and Steve Stamson in their official capacity as Members of the Board of Commissioners of the Shelby County Election Commission (herein after "Defendants"), by and through their undersigned counsel, and pursuant to Tenn. R. Civ. P. 42.01 and Chancery Court Local Rule 7(b), move this Honorable Court for an Order transferring this case no. CH-18-1003 to Chancery Court Part III of the Shelby County Chancery Court and for their cause would show the court as follows:

1. On Friday July 6, 2018, Myron Lowery individually, and Corey Strong,

individually and as Chair of the Shelby County Democratic Party filed Case No. CH-18-0098 at

11:03 am in the Shelby County Chancery Court (Exhibit 1).

2. On Friday July 6, 2018, the Memphis chapter of the NAACP, Angela Barksdale,

Dr. Noel Hutchison, Tamara Hendrix, and Janice F. Scott filed the present case at 2:29 pm in the

Shelby County Chancery Court.

3. Both cases and all causes of action contained therein are based on and arise out of

common questions of law or core set of facts, namely that the Shelby County Election

Commission (SCEC) set the location of the Early Voting sites for the August 2, 2018 by

resolution on June 21, 2018, and the allegations that there were secret meetings between

members of the SCEC in which decisions or actions were taken to adopt the Early Voting

locations as adopted by resolution on June 21, 2018.

4. It is clear from the time stamp on both Verified Complaints that the Planitiffs in

Case No. CH-18-0098, which is currently pending in Shelby County Chancery Court Part III,

was the first in time to be filed.

WHEREFORE, in order to avoid unnecessary costs or delay, or the possibility of

inconsistent results, Defendants pray for an Order from this Court transferring the case before it

to Part III of the Shelby County Chancery Court for consolidation and trial.

Respectfully submitted,

HARRIS SHELTON HANOVER WALSH, PLLC

By: /s/ Pablo A. Varela

John L. Ryder #08258

Pablo A. Varela #29436

40 S. Main Street, Suite 2210

Memphis, Tennessee 38103

Tel: (901) 525-1455

2

Fax: (901) 526-4084 jryder@harrisshelton.com

CERTIFICATE OF CONSULTATION

I, the undersigned, hereby certify that all counsel have conferred in an attempt to r	esolve
the matters at issue in the motion before filing this motion.	

/s/ Pablo A. Varela
Pablo A. Varela

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon:

Alexander C. Wharton, or Andre C. Wharton Attorneys for Plaintiff 1575 Madison Avenue Memphis, Tennessee 38104

via email to alexanderwharton@thewhartonlawfirm.com on this the 8th day of July 2018.

/s/ Pablo A. Varela
Pablo A. Varela

EXHIBIT 1

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

MYRON LOWERY,

Individually,

COREY O. STRONG,

Individually and as Chair of the Shelby County Democratic Party,

Plaintiffs,

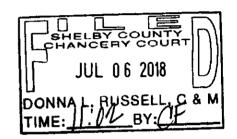
VS.

No. Oh-18-0998-3

SHELBY COUNTY ELECTION COMMISSION, ROBERT D. MEYERS, NORMA LESTER, DEE NOLLNER, STEVE STAMSON, ANTHONY TATE, in their Official Capacities as Members of

the Shelby County Election Commission, and LINDA PHILLIPS, Administrator of Elections,

Defendants.



VERIFIED PETITION FOR INJUNCTIVE RELIEF AND DECLARATORY JUDGMENT

TO THE CHANCELLORS OF THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS:

COME NOW the Plaintiffs, MYRON LOWERY, Individually, and COREY O. STRONG, as Chair of the Shelby County Democratic Party (hercinafter also referred to as Plaintiff Strong), and petition this Court for Injunctive Relief and Declaratory Judgment against the Defendants the Shelby County Election Commission (hereinafter also referred to as "SCEC"), its members Robert D. Meyers, Norma Lester, Dee Nollner, Steve Stamson and Anthony Tate, in their Official Capacities as Members of said Commission, and Linda Phillips in her Official Capacity as Administrator of Elections, and Plaintiffs state as follows:

INTRODUCTORY STATEMENT

- 1. On June 21, 2018 the SCEC held a meeting at which it adopted Early Voting (hereinafter referred to as "EV") sites for the August 2, 2018 County General, State and Federal Primary Election. The EV sites adopted during that meeting are summarized in the publication attached to this Petition as Exhibit A.
- 2. The EV sites adopted at the June 21, 2018 SCEC meeting stand in stark contrast to every prior EV site list that has been published before. The EV sites included four new additional sites, one replacement site, and the closures of all but one site (Agricenter International) for the first four days of early voting.
- 3. On June 27, 2018 Plaintiff Strong addressed a Standing Committee of the Shelby County Commission about the EV sites, their locations and open hours. At this Standing Committee meeting also appeared SCEC Chairman and Defendant Robert D. Meyers and SCEC Secretary and Defendant Norma Lester. All three identified individuals addressed the Standing Committee and made statements, as did members of the public and members of the Standing Committee of the Shelby County Commission.
- 4. At a special meeting of the SCEC which occurred June 29, 2018, the SCEC adopted its current EV Site list and hours/days of operation attached to this Petition as Exhibit B.
- 5. The EV site list and the hours and days of operation listed therein mark a dramatic departure from years of EV site availability for the voters of Shelby County, Tennessee. As opposed to all EV sites being open all days and the same hours for the nine (9) elections prior (2012, 2014, 2016 and May 1, 2018), the SCEC voted to close all but three sites for the first four days of EV, one of which sites is the Elections Operations Center for the SCEC and which site has never before served as an EV site for an SCEC election. See Exhibit C.

6. The deprivation of opening of all EV sites for the same hours for the voters of Shelby County, Tennessee for the August 2, 2018 election constitutes a violation of: (a) the Tennessee Constitution, Article IV, Section I, and the rights of the voters of Shelby County, Tennessee to vote, (b) to free speech, (c) to expressive association, and (d) it constitutes an unconstitutional burden on the right to vote of the voters so identified. The deprivation of opening of all EV sites for the same hours was accomplished as a result of violations of T.C.A. §§8-44-101 et seq., also known as the "Open Meetings Act" of the State of Tennessee. As such, Plaintiffs contend that the vote of the SCEC for both June 21, 2018 and June 29, 2018 should be held void *ab initio* and the SCEC and Defendant Administrator Phillips both ordered to open all EV Sites for the same hours for all days of early voting for the August 2, 2018 election and for every election thereafter.

PARTIES AND JURISDICTION

- 7. Myron Lowery is a resident citizen of Shelby County, Tennessee, and a duly registered voter in the State of Tennessee.
- 8. Corey O. Strong is the duly elected Chair of the Shelby County Democratic Party. The Shelby County Democratic Party is organized under By-Laws and operates as a political party under the auspices of the Tennessee Democratic Party. Defendant Strong is also an individual citizen residing in Shelby County, Tennessee.
- 9. Defendant Shelby County Election Commission is the local governing body of the Tennessee Election Commission. The individual members of the SCEC are Robert Meyers, Norma Lester, Dee Nollner, Steve Stamson, Anthony Tate, herein sued in their Official Capacities as duly appointed members thereof by the Tennessee Election Commission. The SCEC is charged with administering elections for local, county, state and federal offices in accordance with the laws of the State of Tennessee and the United States Government. As such, the SCEC and the individual

members named herein make decisions for and/or recommendations to a public body or administration, i.e. the Shelby County Commission and/or other governmental agencies charged with holding public, elected office.

- 10. Defendant SCEC and its individual members named hereinabove are all subject to all the laws and regulations governing elections conducted in Shelby County, Tennessee as prescribed by the State of Tennessee and United States Government.
- 11. Defendant SCEC and its individual members named hereinabove are all subject to the provisions of the Tennessee Open Meetings Act, T.C.A. §§8-44-101 et. seq. in the conduct of all affairs in their Official Capacities as members thereof.
- 12. Defendant Linda Phillips, sued in her Official Capacity as Administrator of Elections, carries out the mandates, rules, policies and procedures given to her by the SCEC and its individual members operating in their Official Capacity as members thereof.
 - 13. All Defendants are residents of Shelby County, Tennessec.
- 14. This Court has jurisdiction in this action pursuant to Tenn. Code Ann. §§8-44-106; 16-1-101; 16-11-101; and 29-14-102.
- 15. The actions from which the cause(s) of action arise(ose), and all parties to this action reside in Shelby County, Tennessee. Therefore, venue is proper in this Court.

FACTS

16. Plaintiff, Myron Lowery, is a resident citizen of Shelby County, Tennessee and has been such for a year next immediately preceding the filing of this action. Plaintiff resides at 128 Harbor Isle Circle South, Memphis, Shelby County, Tennessee 38103. He is a citizen entitled to sue to enforce the provisions of the Tennessee Open Meetings Act pursuant to Tenn. Code Ann. §8-44-101 et seq.

- 17. Plaintiff, Corey O. Strong, is a resident citizen of Shelby County, Tennessee, and has been such for a year next immediately preceding the filing of this action. Plaintiff resides at 794 N. Trezevant St., Memphis, TN 38112-1723. He is a citizen entitled to sue to enforce the provisions of the Tennessee Open Meetings Act pursuant to Tenn. Code Ann. §8-44-101 et seq. He is also the duly elected Chair of the Shelby County Democratic Party. He was so elected August 5, 2017.
- 18. Defendants Robert Meyers, Norma Lester, Dee Nollner, Steve Stamson, Anthony Tate are all appointed members of the Shelby County Election Commission. The Shelby County Election Commission is a governmental body authorized under Tennessee Election Commission. Robert Meyers is its Chair, Norma Lester is its Secretary.
- 19. Linda Phillips is the Administrator of Elections appointed as such by the Shelby County Election Commission. Defendant Phillips is sued in her Official Capacity as the Administrator of Elections.

COUNT I

<u>VIOLATION OF TENNESSEE OPEN MEETINGS ACT,</u> TENN. CODE ANN. §§5-44-101 TO 8-44-201

- 20. Plaintiffs reallege and incorporate by reference the allegations of paragraphs 1-19 above.
- 21. The SCEC is the governmental body responsible for conducting and reporting the result of elections conducted pursuant to the laws of the State of Tennessee and the United States Government. As such, the SCEC and its individual members acting in their Official Capacity are subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code Ann. §§8-44-101 et seq.
- 22. The Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 to 8-44-201, enacted in 1974, has long established the fundamental public policy of Tennessee "that the formation of

public policy and decisions is public business and shall not be conducted in secret," Tenn. Code Ann. § 8-44-101(a).

- 23. Pursuant to the Tennessee Open Meetings Act, Tenn. Code Ann. § 8-44-102(a), "[a]ll meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee"
- 24. The Shelby County Election Commission, which is comprised of its members who have been named as defendants in this lawsuit in their Official Capacities, constitutes a "governing body" for purposes of the Tennessee Open Meetings Act, as defined in Tenn. Code Ann. § 8-44-102(b), and the Shelby County Election Commission and each of its members are subject to the requirements of the Tennessee Open Meetings Act.
- 25. Plaintiffs are citizens of Tennessee whose right of access to public meetings under Tenn. Code Ann. § 8-44-102(a), upon information and belief, has been violated by, and whose rights have otherwise been affected by, the violations of the Tennessee Open Meetings Act that have been committed by two or more of the Shelby County Election Commission members.
- 26. From May 2, 2012 through May 1, 2018, the SCEC has conducted Early Voting for a period of fourteen (14) days prior to elections which occur periodically for local, county, state and federal officeholders. For the aforementioned time period, all EV locations were open the same hours and the same days without discrimination.
- 27. On June 21, 2018, at a regularly scheduled meeting of the SCEC prior to the August 2, 2018 elections, a routine agenda item to approve EV sites was up for consideration. Without prior notice to the public or Democratic members (Defendants Lester and Tate) of the SCEC of the investigation ordered by Defendant Meyers, a motion was introduced and approved to close all EV sites to early voting for the first four (4) days of early voting save for one site, the "Agricenter" EV

site, and to add additional EV sites not identified or discussed in advance by the SCEC as a body. (See Exhibit A)

- 28. At the meeting before the Shelby County Commission referenced above in paragraph 3, Defendant Meyers made statements before the Standing Committee indicating that he had discussed problems with access to the EV Sites by voters as early as January of 2018. Defendant Meyers also stated before the Standing Committee of the Shelby County Commission that he had instructed Defendant Administrator Phillips to review EV sites for the 2018 election cycle to accommodate concerns certain voters were having difficulty accessing EV sites.
- 29. At the same meeting referenced above or in other public statements made by Defendant Meyers, Defendant Meyers has made reference to "decisions made at executive session", which executive sessions were not published in accordance with nor made open to the public pursuant to the Tennessee Open Meetings Act cited above.
- 30. On information and belief, the Minutes published by the SCEC for January, February and March of 2018 do not reference any votes, decisions, or discussion of EV site accessibility issues by voters by the SCEC. As of the filing of this lawsuit, the Minutes for SCEC meetings for April, May and June of 2018 were neither available nor published on the website maintained by the SCEC for this purpose at its website: https://www.shelbyvote.com.
- 31. Defendant Meyers' statements at the June 27, 2018 Standing Committee of the Shelby County Commission and in other public statements all constitute prima facie evidence of the violation of the Tennessee Open Meetings Act.
- 32. On information and belief, Plaintiffs allege that, outside of any public session, without adequate notice to the public, and in secret, two or more of the members of the Shelby County Election Commission discussed, deliberated toward a decision on, or reached a decision concerning

the subject matter of approving EV sites, adding EV sites, changing, closing or altering the days and hours of operation of the EV sites ultimately voted on June 21, 2018 and altered on June 29, 2018.

- 33. Upon information and belief, one, some or all of the discussions or deliberations regarding the subject matter related above took place by telephone, conference call, or electronic media.
- 34. For the purposes of the Tennessee Open Meetings Act, these discussions or deliberations constituted one or more meetings under Tenn. Code Ann. §8-44-102(b)(2) and (c).
- 35. Upon information and belief, by conducting or participating in these secret meetings and/or deliberations and/or discussions, two or more of the members of the Shelby County Election Commission denied Plaintiffs and other members of the public access or admittance to their discussions or deliberations and violated Tenn. Code Ann. § 8-44-102(a).
- 36. Upon information and belief, by failing to give adequate public notice of these secret meetings, two or more of the members of the Shelby County Election Commissioner violated Tenn. Code Ann. § 8-44-103.
- 37. Tenn. Code Ann. §8-44-104 (2017) requires that "the minutes of a meeting of any such governmental body shall be promptly and fully recorded, shall be open to public inspection..."
- 38. On information and belief, SCEC entertained meetings on April 17, 2018, May 15, 2018, and June 21, 2018. None of the minutes of those three meetings area available on the website heretofore mentioned used by the SCEC to dissemination information and public law compliance. Plaintiffs submit that the prompt and full recording of the minutes and their opening to public inspection is not accomplished when, more than two full months following a meeting, one month following a meeting, or even two weeks following a meeting, those minutes are not

available for public inspection. On information and belief, Plaintiffs allege that SCEC and its Defendant members identified above have violated Tenn. Code Ann. §8-44-104 by failing to promptly and fully record the Minutes of their meetings for public inspection on its website.

- 39. Based on these violations of the Tennessee Open Meetings, and pursuant to Tenn. Code Ann. § 8-44-105, the action of the Shelby County Election Commission in opening the new EV locations, and in restricting the hours and days of operation of the existing EV sites adopted by actions June 21 and June 29, 2019 should be declared by this Court to be, void and of no effect.
- 40. Pursuant to Tenn. Code Ann. § 8-44-106, Plaintiffs should be awarded their reasonable fees and expenses incurred in bringing this action.
- 41. The rights of Plaintiffs and other members of the public to attend meetings of the Board of Commissioners, upon information and belief, have been, are being, and will continue to be violated by the actions of two or more of the Shelby County Election Commission.
- 42. Upon information and belief, Plaintiffs and other members of the public will suffer immediate and irreparable injury, loss, or damage before notice can be served and a hearing held on the request for injunctive relief in this matter. Accordingly, no adequate remedy at law exists to protect the rights of Plaintiffs and other members of the public under the Tennessee Open Meetings Act.
- 43. Pursuant to Tenn. Code Ann. § 8-44-106(c), the Shelby County Election Commission should be preliminarily and permanently enjoined from committing any further violations of the Tennessee Open Meetings Act by entry of injunctive relief as set forth more fully in the prayer for relief below.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, PLAINTIFFS demand and pray that this Court:

- 1. Issue a judgment declaring that:
 - a. The conduct of two or more of the defendant Shelby County Election Commission members in holding the meetings described above constitute a violation of the Tennessec Open Meetings Act, Tenn. Code Ann. §§8-44-101 through 8-44-201;
 - The modification of the EV site list, days of operation and time of operation enacted by the SCEC on June 21, 2018 and modified June 29, 2018 is void and of no effect;
 - c. That the last duly constituted and properly enacted EV site, day and time list for the May 1, 2018 election be and in effect for all days of early voting in advance of the August 2, 2018 election in Shelby County, Tennessee;
- 2. Immediately issue an order temporarily restraining the Shelby County Election Commission, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from discussing, deliberating toward a decision, or reaching any decision during private meetings, meetings held in secret, or meetings held without adequate public notice, or otherwise conducting meetings.in violation of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201;
- 3. Immediately issue an order temporarily restraining all Defendants, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from taking any action to enforce, effectuate, or implement the Resolution, including but not limited to:

- (a) Approving the minutes of the Shelby County Election Commission for June 21, 2018or June 29, 2018;
- (b) Ordering Defendant Administrator Phillips from taking action based on the motions approved in the June 21, 2018 or June 29, 2018 meetings with reference to EV site additions, hours or days of operation;
- 4. Enter temporary and permanent injunctions enjoining Defendants, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from taking any action to enforce, effectuate, or implement the actions of the Shelby County Election Commission on June 21, 2018 or June 29, 2018 with reference to the addition of EV sites or the restriction of hours or days of operation of certain sites;
- 5. Enter temporary and permanent injunctions enjoining Defendants Shelby County Election Commission, and any other persons in active concert or participation with them who receive actual notice of this Court's order, from any other violations of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201;
- 6. Adjudge against Defendant Shelby County Election Commission and its member Defendants identified herein proper penalties for violating the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201;
- 7. Grant Plaintiffs an award of their reasonable fees and expenses incurred in bringing this action;
- 8. File written findings of fact and conclusions of law and final judgments, pursuant to Tenn. Code Ann. § 8-44-106(b), and direct that these shall be recorded in the minutes of the Shelby County Election Commissions;

9. Pursuant to Tenn. Code Ann. § 8-44-106(d), retain jurisdiction over the parties and subject matter for a period of one year from the date of entry of its final judgment, and order the defendants Shelby County Election Commission to report in writing semi-annually to the Court on compliance with the Tennessee Open Meetings Act; and

Grant Plaintiffs such general and further relief to which he may be entitled.
 THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF IN THIS CASE.

Respectfully Submitted,

ULIÉ BYRD ASHWORTH (Tenn. Bar #13736)

Attorney for Plaintiff

5575 Poplar Avenue, Suite 723

Memphis, TN 38119

(901) 373-6111 voice \ (901) 373-6114 facsimile

Electronic: julie@juliebyrd.com

STATE OF TENNESEE

COUNTY OF SHELBY

I, the undersigned, being first duly sworn, state under oath that the facts stated in the foregoing document are all true and correct to the best of my knowledge, information and belief.

MYRON LOWERY

SWORN TO and SUBSCRIBEI	D before me this the	_day of, 20 \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\
My Commission Expires:	Notary Public	STATE OF TENNESSEE A

STATE OF TENNESEE

COUNTY OF SHELBY

I, the undersigned, being first duly sworn, state under oath that the facts stated in the foregoing document are all true and correct to the best of my knowledge, information and belief.

COREY O. STRONG

SWORN TO and SUBSCRIBED be	fore me this the ζ	day of July	
	α	3,1,70	55 2/,

My Commission Expires:

7-17-1020

FIAT

TO THE CLERK AND MASTER:

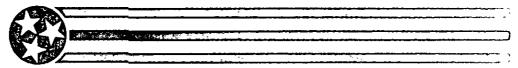
Issue the following temporary restraining order:

Against the Shelby County Election Commission, Robert Meyers, Norma Lester, Dec Nollner, Steve Stamson, Anthony Tate, in their Official Capacities as Members of the Shelby County Election Commission and Linda Phillips in her Official Capacity as Administrator of Elections, their officers, agents, employees, attorneys, and any other persons in active concert or participation with defendants, who receive actual notice of this Court's order prohibiting them from:

- 1. Discussing, deliberating toward a decision, or reaching any decision during private meetings, meetings held in secret, or meetings held without adequate public notice or otherwise conducting meetings in violation of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101 through 8-44-201:
- 2. Taking any action to enforce, effectuate, or implement the actions of the SCEC on June 21, 2018 and June 29, 2018 with reference to enlarging the number of EV sites, or from restricting the days and hours of locations of some, but not all, EV sites, including but not limited to:
 - (a) Approving the minutes of the Shelby County Election Commission insofar as such approval may relate to the actions referenced in paragraph #2 above;

(b)	Instructing or dir	recting Linda Phillips, in l	ner Official Capaci	y as Administrator of
	Elections, from o	carrying out any of the dir	ectives referenced	in paragraph # 2 above
and set a hear	ring for	, 2018 at	M.	
		CHANCEI	LOR	
		DATE:		

TIME:



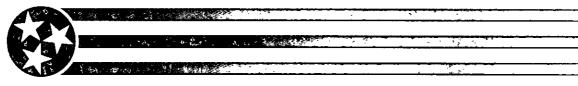
Shelby County Election Commission

2018 Early Voting Locations, Dates & Times Shelby County General Election and State/Foderal Primary and Momphis Special

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Visa our mediate at more afterburgits, com





Shelby County Election Commission

2018 Early Voting Locations, Dates & Times Shelby County General Election and State/Federal Primary and Memphis Special

		Fri	Sat	Sun	Mon	Tue		Thur		Sat	5un		Tues			Fri	Sat
	Location Abundant Grace Fellowship Church	7/13	7/14	7/15	7/16	7/17	7/18	1	7/20	7/21	7/22	7/23	7/24	7/25	7/26	7/27	7/28
	1574 E. Shelby Dr. Memphis 38116	11-7	10-4		11-7	11-7	11-7	11-7	11-7	10-4	Ť	11-7	11-7	11-7	11-7	11-7	8-4
	Agricenter International						<u> </u>										
	7777 Walnut Grove Rd Memphis 38120						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	Anointed Temple of Praise						11.7	11.7	11-7	10.4		14.7	44.7	44.7	11-7	44.7	
	3939 Riverdale Rd Memphis 38115				•		' ' - '	11-7	11-1	10-4		11-7	11-7	' ''	' '-'	11-7	8-4
(E)	Arlington Safe Room						11.7	11.7	11-7	10.4		11-7	11-7	11-7	11-7	11-7	8-4
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	Baker Community Center						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	7942 Church Rd Millington 38053			:-													
	Bellevue Baptist Church						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	2000 Appling Rd Cordova 38016						<u> </u>	 						<u> </u>			
	Berclair Church of Christ 4536 Summer Avenue Memphis 38122						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
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	Calvary Episcopal Church 102 N. 2nd St (Enter from BB King) 38103						9-5	9-5	9-5			9-5	9-5	9-5	9-5	9-5	1
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	Church of the Annunciation 8282 Macon Rd Cordova 38018			*			11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
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	Collierville Church of Christ	,					11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	575 Shelton Dr. Collierville 38017						<u> </u>	<u> </u>									
(UB)	Colonial Baptist Church						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
la.é	1503 Colonial Rd Memphis 38117	•			_												السّ
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1	3505 S. Houston Levee Rd. Germantown 38139						''-'	31-7	11-7	10-4		11-7	11-7	11-7	11+7	17-7	0-4
	Dave Wells Community Center						<u> </u>										
	915 Chelsea Ave Memphis 38107						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	Ed Rice Community Center			i													
	2907 N. Watkins Memphis 38127						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	Glenview Community Center										-						
	1141 S. Barksdale St. Memphis 38114						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
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	Greater Lewis Street Baptist Church	}					11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
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	Greater Middle Baptist Church						11-7	11-7	11-7	10-4	•	11-7	11-7	11-7	11-7	11-7	8-4
	4982 Knight Arnold Rd Memphis 38118			3												```	
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	6740 St. Elmo Rd Bartlett 38135			`							,						
	Mississippi Blvd, Church - Family Life Center						11.7	11-7	11-7	10.4		11-7	11-7	11-7	11-7	11-7	8-4
	70 N, Bellevue Blvd Memphis 38104						.,	11-7		10-4		11-7	.,-,	11-7	11-1		
	Mt. Zion Baptist Church						11-7	11-7	11-7	10-4		11-7	11-7	11-7	11-7	11-7	8-4
	60 S, Parkway E Memphis 38106						<u> </u>			.~~		'	' ' - '	11-7	1,-7	11-7	
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	Raleigh United Methodist Church																
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	Riverside Missionary Baptist Church										\dashv						
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	Shelby County Election Commission	8-4	8-4		8-4	8-4	8-7	8-4	8-4	10-1	j	8-4	8-4	8-7	8-4	8-7	10-1
-Mar.	980 Nixon Drive Memphis 38134																{
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-	1460 Winchester Rd Memphis 38116						ļ										
	The Refuge Church						11-7	11-7	11-7	10-4	I	11-7	11-7	11-7	11-7	11-7	8-4
	9817 Huff N Puff Rd Lakeland 38002							L.,						, ·	,	`,'-'	
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Shelby County Election Commission Early Voting Locations

Federal and State General and Municipal Elections, November 2016

Early Voting begins Wednesday, October 19, 2016 at <u>ALL</u> early voting locations, and ends Thursday, November 3, 2016. Sites will be open weekdays from 10:00am until 7:00pm. Sites will open on Saturday, October 22, 2016 from 10:00am until 4:00pm, and Saturday, October 29, 2016 from 8:00am until 4:00pm.

Facility	Address	City	Zip
Abundant Grace Fellowship Church	1574 E. Shelby Drive	Memphis	38116
Agricenter International	7777 Walnut Grove Road	Memphis	38120
Anointed Temple of Praise	3939 Riverdale Road	Memphis	38141
Baker Community Center	7942 Church Road	Millington	38053
Bellevue Baptist Church	2000 Appling Road	Cordova	38016
Berclair Church of Christ	4536 Summer Avenue	Memphis	38122
Bethel Church	5586 Stage Road	Bartlett	38134
Collierville Church of Christ	575 Shelton Drive	Collierville	38017
Dave Wells Community Center	915 Chelsea Avenue	Memphis	38107
Ed Rice Community Center	2907 N. Watkins	Memphis	38127
Glenview Community Center	1141 S. Barksdale Street	Memphis	38114
Greater Lewis Street Baptist Church	152 E. Parkway North	Memphis	38104
Greater Middle Baptist Church	4982 Knight Arnold Road	Memphis	38118
Mississippi Blvd. Church-Family Life Center	70 N. Bellevue Boulevard	Memphis	38106
Mt. Zion Baptist Church	60 S. Parkway East	Memphis	38106
New Bethel Missionary Baptist Church	7786 Poplar Pike	Germantown	38138
Raleigh United Methodist Church	3295 Powers Road	Memphis	38128
Riverside Missionary Baptist Church	3560 S. Third Street	Memphis	38109
Shelby County Office Building	157 Poplar Avenue	Memphis	38103
The Refuge Church	9817 Huff N Puff Road	Lakeland	38002
White Station Church of Christ	1106 Colonial Road	Memphis	38117

All locations are open at the		
following times:		
0am -7:00pm		
0am -7:00pm		
0am -7:00pm		
0am -4:00pm		
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0am -7:00pm		
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0am -7:00pm		
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)am -7:00pm		



Shelby County Election Commission Early Voting Locations

Federal and State Primary and County General Election, August 2016

Early Voting begins Friday, July 15, 2016 at the Shelby County Office Building at 157 Poplar Avenue. This site will be open from 10:00am until 7:00pm. It will open on Saturday, July 16, 2016 at 8:00am and end at 4:00pm.

On Monday, July 18, 2016 Early Voting begins at these additional sites and continues at the Shelby County Office Building.

Abundant Grace Fellowship Church Agricenter International Anointed Temple of Praise Baker Community Center 7942 Church Road Bellevue Baptist Church 2000 Appling Road Berclair Church of Christ Bethel Church 5586 Stage Road Memphis 38120 Memphis 38141 38141 38053 Bethel Church 5586 Stage Road Bartlett 38134
Anointed Temple of Praise 3939 Riverdale Road Memphis 38141 Baker Community Center 7942 Church Road Millington 38053 Bellevue Baptist Church 2000 Appling Road Cordova 38016 Berclair Church of Christ 4536 Summer Avenue Memphis 38122 Bethel Church 5586 Stage Road Bartlett 38134
Baker Community Center7942 Church RoadMillington38053Bellevue Baptist Church2000 Appling RoadCordova38016Berclair Church of Christ4536 Summer AvenueMemphis38122Bethel Church5586 Stage RoadBartlett38134
Bellevue Baptist Church2000 Appling RoadCordova38016Berclair Church of Christ4536 Summer AvenueMemphis38122Bethel Church5586 Stage RoadBartlett38134
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Bethel Church 5586 Stage Road Bartlett 38134
Calliardia Observation Children Edit Challes Discourse Commission
Collierville Church of Christ 575 Shelton Drive Collierville 38017
Dave Wells Community Center 915 Chelsea Avenue Memphis 38107
Ed Rice Community Center 2907 N. Watkins Memphis 38127
Glenview Community Center 1141 S. Barksdale Street Memphis 38114
Greater Lewis Street Baptist Church 152 E. Parkway North Memphis 38104
Greater Middle Baptist Church 4982 Knight Arnold Road Memphis 38118
Mississippi Blvd. Church-Family Life Center 70 N. Bellevue Boulevard Memphis 38106
Mt. Zion Baptist Church 60 S. Parkway East Memphis 38106
New Bethel Missionary Baptist Church 7786 Poplar Pike Germantown 38138
Raleigh United Methodist Church 3295 Powers Road Memphis 38128
Riverside Missionary Baptist Church 3560 S. Third Street Memphis 38109
Shelby County Office Building 157 Poplar Avenue Memphis 38103
The Refuge Church 9817 Huff N Puff Road Lakeland 38002
White Station Church of Christ 1106 Colonial Road Memphis 38117

All locations are open at the		
following times:		
July 18, 2016	10:00am—7:00pm	
July 19, 2016	10:00am—7:00pm	
July 20, 2016	10:00am—7:00pm	
July 21, 2016	10:00am—7:00pm	
July 22, 2016	10:00am—7:00pm	
July 23, 2016	10:00am—4:00pm	
July 24, 2016	Closed	
July 25, 2016	10:00am—7:00pm	
July 26, 2016	10:00am—7:00pm	
July 27, 2016	10:00am—7:00pm	
July 28, 2016	10:00am—7:00pm	
July 29, 2016	10:00am—7:00pm	
July 30, 2016	10:00am—4:00pm	



Shelby County Election Commission

Early Voting Locations

County Primary Election—May 1, 2018

Early Voting begins Wednesday, April 11, 2018 at <u>ALL</u> early voting locations, and ends Thursday, April 26, 2018. The downtown location—Calvary Episcopal Church—102 N. 2nd Street (enter from B.B. King) will be open 9:00am-5:00pm

The downtown location will not be open on Saturday.

Address	City	Zip
1574 E. Shelby Drive	Memphis	38116
7777 Walnut Grove Road	Memphis	38120
3939 Riverdale Road	Memphis	38141
7942 Church Road	Millington	38053
2000 Appling Road	Cordova	38016
4536 Summer Avenue	Memphis	38122
575 Shelton Drive	Collierville	38017
915 Chelsea Avenue	Memphis	38107
2907 N. Watkins	Memphis	38127
1141 S. Barksdale Street	Memphis	38114
152 E. Parkway North	Memphis	38104
4982 Knight Arnold Road	Memphis	38118
6740 St. Elmo Road	Bartlett	38135
70 N. Bellevue Boulevard	Memphis	38106
60 S. Parkway East	Memphis	38106
7786 Poplar Pike	Germantown	38138
3295 Powers Road	Memphis	38128
3560 S. Third Street	Memphis	38109
9817 Huff N Puff Road	Lakeland	38002
1106 Colonial Road	Memphis	38117
	1574 E. Shelby Drive 7777 Walnut Grove Road 3939 Riverdale Road 7942 Church Road 2000 Appling Road 4536 Summer Avenue 575 Shelton Drive 915 Chelsea Avenue 2907 N. Watkins 1141 S. Barksdale Street 152 E. Parkway North 4982 Knight Arnold Road 6740 St. Elmo Road 70 N. Bellevue Boulevard 60 S. Parkway East 7786 Poplar Pike 3295 Powers Road 3560 S. Third Street	1574 E. Shelby Drive 7777 Walnut Grove Road 3939 Riverdale Road Memphis 7942 Church Road 2000 Appling Road 4536 Summer Avenue S75 Shelton Drive 915 Chelsea Avenue 2907 N. Watkins 1141 S. Barksdale Street 152 E. Parkway North 4982 Knight Arnold Road 6740 St. Elmo Road 70 N. Bellevue Boulevard 60 S. Parkway East 7786 Poplar Pike 3295 Powers Road 3560 S. Third Street 9817 Huff N Puff Road Memphis Memphis Memphis Germantown Memphis Germantown Memphis Germantown Memphis

Satellite Locations are open at the following times:		
April 11, 2018	10:00am -7:00pm	
April 12, 2018	10:00am -7:00pm	
April 13, 2018	10:00am -7:00pm	
April 14, 2018	10:00am -4:00pm	
April 15, 2018	Closed	
April 16, 2018	10:00am -7:00pm	
April 17, 2018	10:00am -7:00pm	
April 18, 2018	10:00am -7:00pm	
April 19, 2018	10:00am -7:00pm	
April 20, 2018	10:00am -7:00pm	
April 21, 2018	8:00am -4:00pm	
April 22, 2018	Closed	
April 23, 2018	10:00am -7:00pm	
April 24, 2018	10:00am -7:00pm	
April 25, 2018	10:00am -7:00pm	
April 26, 2018	10:00am -7:00pm	

All Early Voting Locations:

Wednesday, October 15, 2014 through Thursday, October 30, 2014

Weekcays 10:00 AM to 7:00 PM Saturdays 10:00 AM to 4:00 PM* 'Saturday, October 18, 2014, Sheiby County Office Building at 157 Poplar will be open from 8 a.m. – 4 p.m.

For more information, visit our website: www.shelbyvote.com

ADDRESS 7777 Walnut Grove Rd. 38120 3339 Riverdale Rd. 38141 7942 Church Rd. 38053 2000 Appling Rd. 38016 4536 Summer Ave. 38122 5586 Stage Rd. 38134 1574 Shelty Dr. 38116 575 Shelton Dr. 38017 LOCATION Agri-Center International Agri-Center International Anointed Temple of Praise Baker Community Center Betlevue Baplist Church Berclair Church of Christ Bethel Church Abundant Grace Church Collierville Church of Christ Dave Wells Community Center Glenview Community Center 915 Chelsea Ave., 36107 1141 S. Barksdale St., 38114

LOCATION
Greater Lews Street Baptist Church
Greater Middle Baptist Church
Mussissippi BMc Church - Family Life Center
Mt. Zon Baptist Church
New Bathel Baptist Church
Rategit United Methodist Church
Rategit United Methodist Church
Refuge Church Riverside Baptist Church Stuloh Baptist Church
White Station Church of Christ
Shelby County Office Building

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FEDERAL AND STATE GENERAL ELECTION AND MUNICIPAL ELECTIONS IN ARLINGTON, BARTLETT, COLLIERVILLE, GERMANTOWN, LAKELAND, MEMPHIS AND MILLINGTON SHELBY COUNTY, TENNESSEE		
NOVEMBER 4, 2014		
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Pursuant to TCA. Sec. 2-6-102, a voter who desires to vote early shall go to the county election commission office or to one of the satellite locations listed above in your city within the hours set out for the early voting period, sign an application for ballot and vote. Pursuant to 1CA, Sec. 2-7-140 (c) (1) witers who are already registered can make address or name changes at any early voting size.

Pursuant to TCA, Sec. 2-12-111(b), notice is hereby given that the following questions will be on the ballots in the municipalities of Momphis and Lakeland on November 4, 2014.

Memphis Ordinance No 5512 - IMPROVE EFFECTIVENESS OF CIVIL SERVICE HEARNGS

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 110F THE ACTS OF 1879, AS AMENDED, PURSUANT TO THE PROVISIONS OF ARTICLE 11, SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO IMPROVE THE EFFECTIVENESS OF CIVIL SERVICE HEARINGS AND TO SUBMIT THE PROPOSED REFERENDUM ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE NEXT STATE GENERAL ELECTION.

WHEREAS, Article 11, Section 9 of the Constitution of the State of Termessee provides that it shall be the duty of the legislative body of such municipality to publish any proposal so made and to submit the same to its qualified voters at a special election which shall be held at least sixty (60) days after such publication and such proposal shall become effective sixty (60) days after such publication and such proposal shall become effective sixty (60) days after approval by a majority of the qualified voters voting thereon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS that the present Charter of said City consisting of the provisions of the Act of the State of Tennessee (the year 1879, Chapter 11, as amended, and pursuant to Article 11, Section 9 of the Constitution of the State of Tennessee (Home Rule Amendment) the following proposal shall be published and submitted by the City of Memphis to its qualified voters at the next state general election, and which shall be held at least saity (60) days after such publication.

Section 1. Question 1. Question. Shall the Home Rule Charter of the City of Memphis, Tennessee be amended to update the Cherter provisions relating to the civil service commission for 1) increase the number of civil service commission members 2) Make administrative updates to civil service hearing process and procedures and 3) Allow the Director of Personnel to consider performance as a measure for personnel evaluations?

Case 2:18-cvs-0215 and master to the Civil Service Commission shall be residents of the City of Memphis or maintain their principal place of business within the City of Memphis or maintain their principal place of business within the City of Memphis. This provision shall supersed any other Charter provisions to the occuracy relating to estadency. Prafetence for invividuals residing within the City of Memphis with be given to appointment to the Commission. The Council of the City of Memphis shall have the power to the the qualifications and compression of the members of the Civil Service Commission and to pass such oronances as may be required to carry out the purposes and provisions of this article. At least is over (7) of Commissioners shall be leversed attorneys, current or tomer judges and/or individuals with prior experience as an administrative law yides for any local, state or tederal approxi-

Sec. (242]. Appointment of members.

The Mayor shall appoint members to the Commission, with the approval of a majority of the Council, for the following terms: two (2) members for a term of one (1) year, two (2) members for a term of two (2) years, and three (3) members for a term of the (2) years, one of said Commissioners shall be designated by two Mayor to serve as Chairman of the Commission, in the event that the Chairman is unable to attend a Commission membership to serve as substitute Chairman, Subsequent to the initial terms of the Commissioners, as provided for in this section, each Commissioner shall serve for a term of three (3) years, except in instances when the Commission is expanded. Any additional members shall be appointed in

Sec. [243]. - Oath of Commissioners.
The said Commissioners shall qualify and take an oath to uphold the Constitutions of the United States and of the State of Tennessee, and faithfully to discharge the dubes of their respective offices neutrally and without bias, and, upon the organization thereof, shall undertake the driftes of said office.

Sec, [245]. Powers and duties of Commissioners.

The Card Service Commission shall have the power and it shall be its duty to conduct hearings to review disciplinary actions, limited to suspensions, dismissals, or demolions of any employees not exempted from the provisions of this article, in the course of any hearing conducted under the provisions of this article, the Civil Service Commission shall have power to administer oaths, to suppoon a and require the attendance of witnesses within the City and the production by them of books and papers pertinent to any matter of inquiry, and to examine such witnesses under oath in relation to any matter properly involved in such proceeding. For such purposes, the Commission may invoke the power of any court of record in the City, or judge thereof, to compel the attendance and testimony of witnesses and the production of books and papers in complaince with such subpoena.

Any Commissioner who is a boonsed attorney, a current or former member of the judiciary analysis has served as an administrative law judge for any other local, state or federal agency shall be entitled to act as a hearing officer. Each hearing officer shall have the same powers and duties of the Commission.

Sec. [248]. Hearings.
Upon an employed shopped from his termination, demotion, or suspension, a hearing shall be held before a hearing officer which shall be randomly selected from the qualified Commissioners, within a reasonable time thereafter, not to exceed minety [60] days from filing of the appeal. Any employee who has been indicted by a federal or state grand jury or against whom a presentment or information has been linked shall be granted, upon his request and at his election, a postponement of hearing before the Civil Sarvice Commission until such indictment, presentment, or information has been linked upon to be a court of competent jurisdiction. Any employee seeking to hold a matter in alterance may be prohibited from seeking back wages for the pencil of time that the matter was held in abhyance. The hearing officer may revise or sustain the disciplinary action of the City, if the hearing officer may remain the matter was the matter was held in abhyance and the official foliation of the commission of the commission of the commission shall have the dudy of convening said hearing. At such hearing both the appendix in unique employee and the official whose actions are being reviewed shall have the right to be heard and to present evidence and to be remissioned by thinnsolves or by representative. The burden of proof required to sustain the action of the City shall be sustained. The decision of the proof, the hearing officer finds that there exists a reasonable basis for the despinary action taken, the action of the City shall be sustained. The decision of the hearing officer shall be written and conclusions there from within ninety (90) days of the conclusion of the hearing.

If any party is dissatisfied with the ruling of the hearing officer the decision of the hearing officer may be appealed to the full Commission within fourteen (14) days of the issuance of the indirings of fact and conclusions of law. Atternatively, the decision of the hearing officer and/or the Commission shall be appealable by either the City or the employee as provided by State law.

Sec. [249]-Director of personnel.

There shall be a Director of Personnel, who shall be appointed by the Mayor with the approval of a majority of the Council. The personnel shall be subsect to removal by the Mayor with the concurrence of a majority of the Council. His term of office shall be the same as that of the appointing Mayor, and he shall continue in office until his successor has been appointed and approved. The Director of Personnel shall be entitled to sall lotth criteria for advancement based on ment and with the office until his successor has been appointed and approved. The Director of Personnel shall be entitled to an licert certain to an advancement of an advancement based on ment and with the application of sound tusiness principles in the administration of persons, and shall prescribe methods whereby appropriate records of the work of employees may be kept. Said director shall Mexiste prescribe methods for grading the work of employees in the vanous departments affected herein, shall measure such work by performance, fidelity to duty, punctuality, proper exercise of judgment, cooperation with superiors and other employees of the City of Memphis, courtesy to the general public, and other perinent factors. To the end the said departments and the personnel thereof may function for the advancement of efficiency of said departments, and the promotion of public safety and welfare. There shall be no describination in the City employment of personnel because of religion, race, see, creed, potitical affalsion, or other norment factors, nor shall there be any discrimination in the promotion of demotion of City employees because of religion, race, see, creed, potitical affalsion, or other norment factors.

Section 2. Publication of Home Rule Amendment

BE IT FURTHER ORDAINED. That the Comptroller is hereby directed to cause the Ordinance to be published pursuant to provisions of Article 11. Section 9 of the Constitution of the State of Tennessee.

Section 3, Delivery to Election Commission
BE IT FURTHER ORDANED That the Comprisher of the City of Memphis shall certify adoption of this Ordinance to the Shefay County Election Commission in charge of holding the next static general election, and request that this proposed amendment to the Home Rule Charter of the City of Memphis be placed on line ballot.

Section 4 Proposal and preference
BE IT PURTHER ORDAINED That the Comptroller of the City of Memphis is hereby
dencied to deliver a copy of this Ordanince to the Shelby County Election Commission, hogether with a suggested proposal and the following form of preference to be
placed on the ballot in the next state general election:
Shall the Horne Rule Charter of the City of Memphis, Tennessee be amended to update the Charter provisions relating to the, cityl service commission to:1) increase the
number of only service commission members 2) Make administrative updates to cityl sorvice hearing procuss and procedures and 3) Allow the Direction of Personnel to consider performance as a measure for personnel evaluations?

Soc. [240]. - Composition of Commission.

There is hereby created a Commission to be composed of fourteen (14) members, to be known as the Civil Service Commission of the City of Memphis.

Sec. [241]. - Qualifications of members: compensation.

Members of the Civil Service Commission shall be residents of Shotby County or maintain their principal place of business within the City of Memphis, This pravision shall be supersed any other Christ provisions to the contrary relating to residency. Preference for individuals residing within the City of Memphis will be given for appointment to the Commission. The Council of the City of Memphis shall have the power to fix the qualifications and compensation of the members of the Civil Service Commission and to pass such ordinances as may be required to carry out the purposes and provisions of this article, At least severif (7) of Commissioness shall be idensed alterneys, current or former judges and/or individuals with prior expenence as an administrative law judge for any local, stake or federal agency.

Sec. [242]. Appointment of members in the Commission, with the approval of a majority of the Councit, for the following terms: two (2) members for a term of one (1) years, two (2) members for a term of two (2) years, and three (3) members for a term of two (2) years, and three (3) members for a term of two (2) years, and three (3) members for a term of two soft and the Commission in the Commission members to a ever as substitute Chairman. Subsequent to the initial terms of the Commissioners, as provided for in this section, each Commissioner appointed thereafter shall severe for a term of three (3) years, except in instances when the Commission is expanded. Any additional members shall be appointed in staggered terms consistent with this provision.

Ser. [243]. Oath of Commissioners.
The said Commissioners shall qualify and lake an oath to uphold the Constitutions of the United States and of the State of Tennessee, and faithfully to discharge the dubes of their respective offices neutrally and without bias, and, upon the organization thereof, shall undertake the duties of said office.

Sec. (245). Powers and duties of Commissioners.

The Chil Service Commission shall have the power and it shall be its duty to conduct hearings to review disciplinary actions, finited to suspensions, dismissals, or demotions of any engineers and exempted from the provisions of this article, in the course of any hearing conducted under the provisions of this article, in the course of any hearing conducted under the provisions of this article, the Commission shall have power to administer oaths, to subpoens and require the attendance of witnesses within the City and the production by them of books and papers portioner to any matter of inquire, and to examine such witnesses under oath relation to any interpret provisions proceeding. For such purposes, the Commission may invoke the power of any court of record in the City, or jugge thereof, to compet the attendance and testimony of witnesses and the production of books and papers in compliance with such subpoens.

Any Commissioner who is a licensed attorney, a current or former member of the judiciary and/or has served as an administrative law judge for any other local, state or federal agency shall be entitled to act as a hearing officer, Each hearing officer shall have the same powers and duties of the Commission.

Sec. [248]. - Hearings.

Upon an emptyee's appeal from his terrimation, demotion, or suspension, a hearing shall be held below a hearing officer which shall be randomly selected from the qualified Commissioners, within a reasonable time thereafter, not to exceed innety (90) itays from filing of the appeal. Any employee who has been indicted by a federal or state grand jury or ngainst whom a prinsentment or information has been filed shall be granied, upon his request and at his election, a postponement of hearing before the CMI Service Commission until such indictment, presentment or information has been find shall be granied, upon his request and at his election, a postponement of hearing before the CMI Service Commission until such indictment, presentment, or information has been finds shall be granied of by a court of competent jurisdiction. Any employee seeking to hold a matter in abeyance may be prohibited from seeking back wages for the pend of timo that the militor was hold in abeyance. The hearing officer to a remark of a matter of an emptype, in the hearing officer may reverse or sustain the diseplanery action of the City. If the hearing officer may reverse in a sustain the diseplanery action of the City with the hearing officer may reverse in termination and impose a suspension of appropriate. The secretary of the Commission shall have the duty of convening said hearing. All such hearing to the depending employee and the disclat whose actions are being reversed shall have the right to be head and to present evidence and to the represented by hemselves or by representative. The burder not proof required to sustain the action of the City shall be by a preponderance of the evidence if, after a presentation of the proof, the hearing officer individual that exists a reasonable basis for the decapitary action taken, the action of the City shall be by a preponderance of the evidence if, after a presentation of the proof, the hearing officer shall be subtained. The decision of the hearing officer shall be sta

Sec. (249). Director of personnel, who shall be appointed by the Mayor with the approval of a majority of the Council. The Director of Personnel shall be subject to removal by the Mayor with the concurrence of a majority of the Council. His term of office shall be the same as that of the appointing Mayor, and he shall continue in office until his successor has been appended and approved. The Director of Personnel shall be entitled to set forth criteria for advancement based on ment and with the application of sound business principles in the administration of persons, and shall prescribe methods where records of the work of employees may be keet. Said director shall knewise prescribe methods for grading the work of employees in the vanous departments affected herein, shall measure such work by performance, fidelity to duty, puretuality, proper exercise of judgment, cooperation with superiors and other employees of the City of Memphis, courtesy to the general public, and other performance, to the end the said departments and the personnel interest may function for the advancement of efficiency of said departments, and the personnel interest may function for the advancement of efficiency of said departments, and the personnel interest may function for the advancement of efficiency of said departments, and the promotion of public safety and welfare. There shall be no discrimination in the City employees because of religion, race, sex, creed, political affiliation, or other nonment factors, our shall there be any decrimination in the promotion of City employees because of religion, race, sex, creed, political affiliation, or other nonment factors.

I, Brian Cottins, Director of Finance for the City of Memphis do hereby certify that The net cost to the City if this Amendment is adopted is estimated to be \$0.

FOR THE AMENDMENT (YES)

NOTICE OF EARLY VOTING

Pursuant to Tennessee Code Annotated (TCA), Sec. 2-6-103, notice is hereby given by the Shelby County Election Commission of unrestricted early voting for voters in all wards and precincts in Shelby County, Tennessee. This early voting will take place as follows:

Downtown Early Voting Location: Shelby County Office Building, 157 Poplar Ave., 38103

Beginning, Friday, July 18, 2014, 10:00 AM to 7 PM
Saturday, July 19, 2014, 8:00 AM to 4 PM
Weekdays, July 21, 2014 through August 2, 2014, 10:00 AM to 7:00 PM
Saturdays, July 26 and August 2, 2014, 10:00 AM to 4:00 PM

AND

Early Voting Satellite Locations

Beginning, Monday, July 21 through Saturday, August 2, 2014 Weekdays 10:00 AM to 7:00 PM Saturday, July 26 and August, 2, 2014, 10:00 AM to 4:00 PM

Abundant Grace Fellowship Church 1574 E. Shelby Dr. 38116 7777 Walnut Grove Rd. 38120 Agri-Center Anointed Temple of Praise 3939 Riverdale Rd. 38141 Baker Community Center 7942 Church Rd., 38053 Bellevue Baptist Church 2000 Appling Rd. 38016 5586 Stage Rd., 38134 Bethel Church 4536 Summer Ave. 38122 Berclair Church of Christ Collierville Church of Christ 575 Shelton Dr., 38017 Dave Wells Community Center 915 Chelsea Ave. 38107 Glenview Community Center 1141 S. Barksdale St. 38114 Greater Lewis Street Baptist Church 152 E. Parkway N., 38104 Greater Middle Baptist Church 4982 Knight Arnold Rd. 38118 Mississippi Blvd. Church-Family Life Center 70 N. Bellevue Blvd. 38106 Mt. Zion Baptist Church 60 S. Parkway E., 38106 New Bethel Baptist Church 7786 Poplar Pike St., 38138 Raleigh U.M. Church 3295 Powers Rd. 38128 Riverside Baptist Church 3560 S. Third St. 38109 Shiloh Baptist Church 3121 Range Line Rd. 38127 The Refuge Church 9817 Huff N Puff Rd., 38002 White Station Church of Christ 1106 Colonial Rd. 38117

(Insert Sample Ballots here)

Pursuant to TCA, Sec. 2-6-102, a voter who desires to vote early shall go to the county election commission office or to one of the satellite locations listed above in your city within the hours set out for the early voting period, sign an application for ballot and vote. Pursuant to TCA, Sec. 2-7-140 (c) (1) voters who are already registered can make address or name changes at any early voting site. For further information, call 222-1200 or visit our web site @ www.shelbyvote.com.

NEW PHOTO ID LAW

Federal or Tennessee government issued photo ID is now required to vote in person, unless an exception applies. College student IDs will not be accepted. City or County employees Ids (Including library eards) are explicitly excluded and will not be accepted. To learn more about the new law and its exceptions, please call (901) 222-1200 or visit GoVoteTN.com.

Any of the following IDs may be used, even if expired:

- Tennessee driver's license with your photo
- United States Passport
- Photo ID issued by the Tennessee Department of Safety and Homeland Security
- Photo ID issued by the federal or Tennessee State government
- United States Military photo ID, including a Veteran Identification Card
- Tennessee-issued handgun carry permit with your photo

SHELBY COUNTY ELECTION COMMISSION

Robert D. Meyers, Chairman Norma Lester, Secretary Dee Nollner, Member Steve Stamson, Member Anthony Tate, Member

· Case 2:18-c/-02534-SHM-cgc Document Interest pressure that hote of neets given by the steps county Election commission of pressure that hote of neets given by the steps county Election Commission of pressure that hote of neets given by the steps county Election Commission of pressure that hote given by the steps county Election Commission of pressure that the place as follows:

Downtown Early Voting Location: Shelby County Office Building, 157 Poplar Ave., 38103

Beginning, Wednesday, April 16, 2014 through Thursday, May 1, 2014 Weekdays 10:00 AM to 7:00 PM Saturdays, April 19 and April 26, 2014 10:00 AM to 4:00 PM Closed Friday, April 18, 2014 in observance of Good Friday

AND

Early Voting Satellite Locations

Beginning, Finday, April 25: through Thursday, May 1, 2014 Weekdays 10:00 AM to 7:00 PM Saturday, April 26, 2014, 10:00 AM to 4:00 PM

LOCATION
Abundant Grace Fellowship Church
Agir-Center
Anomited Temple of Praise
Baker Community Center
Balevice Bosits Church
Betting Church
Betting Church of Christ
Coliferville Church of Christ
Coliferville Church of Christ
Dave Wells Community Center
Glenview Community Center

ADDRESS
1574 E. Shelby Dr., 38116
7777 Wahrut Grove Rid
3939 Riverdale Rid, 38141
7942 Church Rd., 38053
2000 Appting Rid, 38016
5586 Stage Rid, 38134
4536 Summer Ave, 38107
757 Shelton Or, 38017
715 Chelbea Ave, 38107
1141 S. Bariscale S.1, 38144
White Station Church of Christ
White Station Church of Christ
White Station Church of Christ

ADDRESS 152 E. Purkway N., 38104 4982 Krugirk Arnold Rd. 38118 70 N. Bellevus BMc. 38106 60 S. Parkway E., 38106 7786 Poplir Pike St., 38109 3295 Powers Rd., 38128 3500 S. Thrd St., 38109 3121 Ronge Line Rd., 38127 9817 Hulf N. Puff Rd., 38002 1106 Colonal Rd., 38117

BHELBY COUNTY RESUPLICAN AND DEMOCRATIC PRIMARY ELECTIONS SHELBY COUNTY, TENVESSEE MAY 6, 2014			
REPUBLIC	AN PRIMARY		TIC PRIMARY
DISTRICT ATTORNEY GENERAL. 30th JUDICIAL DISTRICT	ASSESSOR OF PROPERTY VOTE FOR ONE (1)	DISTRICT ATTORNEY GENERAL. 30th JUDICIAL DISTRICT	COUNTY COMMISSIONER DISTRICT 12
VOTE FOR ONE (1)	KE(TH ALÉXANDER	VOTE FOR ONE (1) JOE BROWN	VOIE FOR ONE (1) BRYANT K, BOONE
Wrn(e→n	MARY PETERS ROYKO	₩nle∢n	☐ VAN TURNER
COUNTY MAYOR VOIT FOR ONE (1)	COUNTY TRUSTEE	COUNTY MAYOR VOTE FOR ONE (1)	Witten
ERNEST LUNATI	VOTE FOR ONE(1)	DEDRE D. MALONE	COUNTY COMMISSIONER DISTRICT 13
MARK H. LUTTRELL	JEFF JACOBS	STEVE MULROY	VOTE FOR CHE (1)
Wette-en	DAVID LENOIR	KENNETH TWIGG WHALUM, JR.	M. JAIN
COUNTY COMMISSIONER	Write-en	Wate-sn	Write-in ASSESSION OF PROPERTY
DISTRICT 1 VOTE FOR ONE (1)	SHERIFF VOTE FOR ONE (1)	COUNTY COMMISSIONER	VOTE FOR PROFESTOR
TERRY ROLAND	BEL OLDHAM	DISTRICT (*) VOTE FOR ONE (1)	LORIE BIGHAM
COUNTY COMMISSIONER	Weby-en	COUNTY COMMISSIONER	CHEYENNE JOHNSON
DISTRICT 2	CIRCUIT COURT CLERK VOTE FOR ONE (1)	DISTRICT 2	Wide-in COUNTY TRUSTER
VOTE FOR ONE [1] DAVID C. BRADFORD	MICHAEL FINNEY	VOTE FOR ONE (1) Write-in	VOTE FOR ONE (1)
GEORGE CHISM	JIMMY MOORE	COUNTY COMMISSIONER DISTRICT 1	DERRICK BENNETT
Witte-m	Wr te-en	VOTE FOR ONE (I)	M. LATROY WELLAMS
COUNTY COMMISSIONER	CRIMINAL COURT CLERK VOTE FOR ONE (1)	COUNTY COMMISSIONER	Witten
DISTRUCT \$ VOTE FOR ONE (1)	RICHARD L. D-SAUSSURE, III	DISTRICT 4	BHERIFF VOTE FOR ONF (1)
NASER FAZLULLAH	Write-en	VOTE FOR ORE (1) JACKIE D. JACKBON	BENNIE COBB
KELLY D. PRICE	JUVENILE COURT CLERK VOTE FOR ONE (1)	Witte-in	Write-in
DAVED REAVES	NOY TOULIATOS	COUNTY COMMISSIONER	CIRCUIT COURT CLERK VOTE FOR ONE (1)
SHERRY S, SMMONS	Write-in	CHSTRUCT 5 VOTE FOR ONE (1)	RHONDA BANKS
Write-in	PROBATE COURT CLERK VOTE FOR ONE (1)	TAYLOR BERGER	DEL GALL
COUNTY COMMISSIONE R DISTRICT 4	PAUL BOYD	Wite-in	Write-#1
- YOTE FOR ONE (1) MARK BILLINGSLEY	Wrde-en	COUNTY COMMISSIONER DISTRICT #	CRIMINAL COURT CLERK VOTE FOR ONE (1)
I 	COUNTY CLERK VOIL FOR ONE (1)	VOTE FOR ONE (1) KARL L. BOND	WANDA HALBERT
NON FITTES Write-In	WAYNE MASHBURN	WILLIE BROOKS	THOMAS LONG
COUNTY COMMISSIONER	Write-in	EDITH ANN MODRE	MICHAEL R. McCUSKER
DRITRICY 6 VOTE FOR OUR (1)	REGISTER OF DEEDS VOTE FOR ONE (1)		BALPH WHITE
HEIDI SHAFER	TOM LEATHERWOOD	KENORICK SNEED	White-th
Write-in	Write-in	COUNTY COMMISSIONER	JUVENILE COURT CLERK VOTETOR ONE (1)
COUNTY COMMISSIONER DISTRICT 6		VOTE FOR ONE (1)	HENRI E. BROOKS
VOTE FOR ONE (1)	4	MELVIN BURGESS	KEN MOODY
Wola-n	1	BRANDON ECHOLS	Wintown
COUNTY COUNTS STONER DISTRICT 7	1	- COUNTY COMMISSIONER	PROBATE COURT CLERK VOIL FOR ONE (1)
VOTE FOR ONE (1)	1	OISTRICT 8 , VOITE FOR ONE (1)	REGINA BEALE
COUNTY COMMISSIONER	4	WALTER BALLEY	JENN;NG\$ BERNARD
DISTRICT 8		BERLIN F. BOYO	WILLIAM CHIŞM, JR.
VOTE FOR DIVE (1)	4	DAYID W. VINCIARELLI	DARNELL GATEWOOD, SA.
Welle- a	1	Wrae-en	CYNTHIA A. GENTRY
COUNTY COMMISSIONER OSTRICT 9	1	COUNTY COMMISSIONER DISTRICT 9	AARON HALL
VOTE FOR ONE (1)	4	VOTE FOR ONE (1)	HESDI KUHN
Write-in COUNTY COMMISSIONER	4	AUSTIN FORD	Write-m
OBTRICT 16 VOTE FOR ONE (1)		PATRICE J. ROBINSON	COUNTY CLERK VOIE FOR ONE (1)
GEOFF DIAZ	1	KETH O. WELLIAMS	CHARLOTTE B. DRAPER
Wrse⊸n	1	COUNTY COMMISSIONER	JOHN H. FREEMAN
COUNTY COMMISSIONER DISTRICT 11		DISTRICT 19 VOTE FOR ONE (1)	YOLANDA R, NICHT
VOTE FOR ONE (1)		JAKE BROWN	Wide-ex
COUNTY COMMISSIONER	1	MARTAVIUS D. JONES	REGISTER OF DEEDS VOTE FOR ONE (1)
DESTRICT 12 VOTE FOR ONE (1)		REGINALD MILTON	STEPHEN CHRISTIAN
Write-R]	Witzen	COLEMAN THOMPSON
COUNTY COMMISSIONER DISTRICT 13		COUNTY COMMISSIONER DISTRICT 11	W-co-n
VOTE FOR ONE (1)	1	VOTE FOR ONE (1)	4
STEVE BASAR	1	CURTIS BYRD	4
 	1	DOMNELL COBBINS	4
SHELBY COUNTY REPUBLICAN AND DEMOCRATIC PRIMARY ELECT SHELBY COUNTY, TEMPERSES MAY 4, 2014	30N\$	EDDIE JONES	4
SHELBY COUNTY, TENNESSEE		HEMDRELL REMUS	4
Pobert D. Mayers, Cheirmen Herms Loeber, Gestrolary Deer Hadeer, Hesselve Stave Stamaen, Mareker Arthroxy Tith, Herselve	ł	CLAUDE TALFORD	4
Store Stamoon, Marrier Anthony Tota, Member		V/rte-in	J

Pursuant to TCA, Sec, 2-6-102, a voter who desires to vote early shall go to the county election commission office or to one of the satellite locations listed above in your city within the hours set out for the early voting period, sign an application for ballot and vote. Pursuant to TCA, Sec, 2-7-140 (c) (1) voters who are already registered can make address or name changes at any early voting site. For further information, call 222-17-200 or visit out web site 8 www.shelbyvote.com.

NEW PHOTO ID LAW

Federal or Tennessee government issued photo ID is now required to vote in person, unless an exception applies. College student IDs will not be accepted. City or County employees tos (including library cards) are explicitly excluded and will not be accepted. To learn more about the new law and its exceptions, please call 1901 1221-1200 or wist Ge

- Any of the following IDs may be used, even if expired:

 ** Tennessee driver's license with your photo:

 United States Passed by the Tennessee Department of Safety and Homeland Security

 Photo ID issued by the federal on Tennessee State government

 United States Military photo ID, including a Venter's Continication Card

 Tennessee-issued handjuin carry permit with your photo

Downtown Early Voting Location: Shelby County Office Building, 157 Poplar Ave. 38103
Beginning, Wednesday, October 17, 2012 through Thursday, November 1, 2012
Weekdays 10:00 AM to 7:00 PM
Saturday, October 20, 2012, 8:00 AM to 4:00 PM
Saturday, October 27, 2012 10:00 AM to 4:00 PM

AND

Early Voting Satellite Locations

Beginning, Wednesday, October 17, 2012 through Thursday, November 1,2012 Weekdays 10:00 AM to 7:00 PM Saturdays, October 20 and October 27, 2012, 10:00 AM to 4:00 PM

Agri-Center International Anointed Temple of Praise Baker Community Center Bellevue Baptist Church Berclair Church of Christ **Bethel Church** Bishop Byrne High School Collierville Church of Christ **Dave Wells Community Center Glenview Community Center Greater Lewis Street Baptist Church** Greater Middle Baptist Church Mississippi Blvd. Church-Family Life Center Mt. Zion Baptist Church **New Bethel Baptist Church** Raleigh U.M. Church Refuge Church Riverside Baptist Church **Shiloh Baptist Church** White Station Church of Christ

7777 Walnut Grove Rd. 38120 3939 Riverdale Rd. 38141 7942 Church Rd. 38053 2000 Appling Rd. 38016 4536 Summer Ave. 38122 5586 Stage Rd. 38134 1475 Shelby Dr. 38116 575 Shelton Dr. 38017 915 Chelsea Ave. 38107 1141 S. Barksdale St. 38114 152 E. Parkway N., 38104 4982 Knight Arnold Rd. 38118 70 N. Bellevue Blvd. 38106 60 S. Parkway E., 38106 7786 Poplar Pike 38138 3295 Powers Rd. 38128 9817 Huff N Puff Rd., 38002 3560 S. Third St. 38109 3121 Range Line Rd. 38127 1106 Colonial Rd. 38117



IN THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE MEMPHIS BRANCH (NAACP), ANGELA BARKSDALE, DR. NOEL HUTCHISON, TAMARA HENDRIX and JANICE F. SCOTT.

No. CH-18-1003-2

Plaintiffs,

VS.

SHELBY COUNTY ELECTION COMMISSION, LINDA PHILLIPS in her official capacity as Administrator of the Shelby County Election Commission, NORMA LESTER, ROBERT MEYERS, DEE NOLLNER, ANTHONY TATE, and STEVE STAMSON, in their Official Capacities as Members of the Board of Commissioners of the Shelby County Election Commission,

Defendants.

ORDER OF TRANSFER TO PART III

THIS CAUSE came before the Court on Monday July 9, 2018, before the Honorable Chancellor Jim Kyle upon the Defendants' Motion to Transfer Cases to Part III asking the Court to transfer case no. CH-18-1003 to Chancery Court Part III, and upon the Motion, statements of counsel for Defendants and Plaintiffs, and the entire record in this cause, the Court finds that the Motion is well taken an is here by granted. The Court finds that there are common questions of law and facts from which the allegations in both cases mutually arise. In addition, the Court finds that the Plaintiffs in Case No. CH-18-0998 – which is currently pending in Part III of the Shelby

County Chancery Court – were first to file their suit and therefore, the case before this Part II of the Shelby County Chancery Court (CH-18-1003) should be transferred to Part III.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendants'

Motion to Transfer Case to Part III is granted

Chancellor Jim Kyle

JUL 09 2018

DATE

Approved for Entry:

John/L. Ryder #08258/

Pablo A. Varela #29436

40 S. Main Street, Suite 2210

Memphis, Tennessee 38103

Attorneys for Defendants

By:

Julie Byrd Ashworth

Attorney for Plaintiffs

5575 Poplar Avenue, Suite 723

Memphis, Tennessee 38119

Attorney for Plaintiffs Myron Lowery and Corey O. Strong

By:

Alexander C. Wharton, or \$24.957

Andre C. Wharton 422588

Attorneys for Plaintiff

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Memphis, Tennessee 38104

9017626884

Attorneys for NAACP Memphis Branch, Angela Barksdale, Dr. Noel Hutchison, Tamara Hendrix and Janice F. Scott

IN THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE MEMPHIS BRANCH (NAACP), ANGELA BARKSDALE, DR. NOEL HUTCHINSON, TAMARA HENDRIX and JANICE F. SCOTT, Plaintiffs,	ntere M.B.
SHELBY COUNTY ELECTION COMMISSION, LINDA PHILLIPS in her official capacity as Administrator of the Shelby County Election Commission, NORMA LESTER, ROBERT MEYERS, DEE NOLLNER, ANTHONY TATE and STEVE STAMSON in their Official Capacities as Members of the Board of Commissioners of the Shelby County Election Commission, Defendants.	No. CH-18-1003- 3))))))))))))))

ORDER ON PLAINTIFF'S APPLICATION FOR EXTRAORDINARY RELIEF

It appearing to the Court that a hearing occurred on the 9th day of July, 2018 before the Honorable JOEDAE L. JENKINS, Chancellor of Part III of the Chancery Court on Plaintiffs' application for extraordinary relief, and on the testimony for Plaintiffs of Robert Meyers,

Anthony Self, Stephen Ross and for Defendants of Robert Meyers and Joe Young, Exhibits 1 through 8 introduced into evidence, arguments and statements of counsel, and the record as a whole, the Court finds that Plaintiffs have carried their burden of proof as to the request for extraordinary relief, in that the Court incorporates into this order the attached transcript of the

Court's Findings of Fact and Conclusions of Law recited orally from the bench, the Court incorporated into this Order the attached Transcript as if recited verbatim herein,

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that the attached transcript of the Court's findings of fact and conclusions of law (Exhibit A) are incorporated into this order as if recited verbatim herein, and constitute the order of the Court.

HOYORABLE JOEDAE L. JENKINS Chancellor, Part III, Chancery Court

9 10,2018

Date:

APPROVED:

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Electronic mail: <u>iryder@harrisshelton.com</u>

IN THE CHANCERY COURT OF TENNESSEE FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

MYRON LOWERY,

Individually, COREY O. STRONG.

Individually and as Chair of the Shelby County Democratic Party,

No. CH-18-0998-3

Plaintiffs.

VS.

SHELBY COUNTY ELECTION COMMISSION, ROBERT D. MEYERS, NORMA LESTER, DEE NOLLNER, STEVE STAMSON, ANTHONY TATE, in their Official Capacities as Members of the Shelby County Election Commission, and LINDA PHILLIPS Administrator of Elections,



M.B._____

Defendants.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE MEMPHIS BRANCH (NAACP), ANGELA BARKSDALE, DR. NOEL HUTCHISON, TAMARA HENDRIX and JANICE F. SCOTT,

No. CH-18-1003-2

Plaintiffs,

VS.

SHELBY COUNTY ELECTION COMMISSION, LINDA PHILLIPS in her official capacity as Administrator of the Shelby County Election Commission, NORMA LESTER, ROBERT MEYERS, DEE NOLLNER, ANTHONY TATE, and STEVE STAMSON, in their Official Capacities as Members of the Board of Commissioners of the Shelby County Election Commission.

Defendants.

ORDER GRANTING PARTIAL RELIEF FROM JULY 9, 2018 INJUNCTION ORDER

This matter came before the Court on July 10, 2018, on the Defendants' *Rule 62 Motion* for Stay Pending Appeal and based on the statements of counsel for Defendants and Plaintiffs, the Motion, the Affidavit of Linda Phillips, and the record as a whole, the Court finds and holds as follows:

- Based on the statements of counsel for Defendants, the Court finds that Defendant's Rule 62
 Motion for Stay Pending Appeal shall be treated as a motion to modify the Court's July 9,
 2018 injunction order.
- 2. The Court finds that it has the obligation to balance the overall early voting scheme for the August 2, 2018, election with the best interest of the citizens of Shelby County to ensure that an early voting plan goes forward which the Shelby County Election Commission and the Administrator of Elections agree is workable.
- 3. The Court finds that based on the Affidavit of Linda Phillips, the Administrator of Elections for the Shelby County Election Commission, it is impossible for the Commission to open all twenty-seven (27) early voting locations by Monday July 16, 2018 as the Court Ordered in its injunction Order on July 9, 2018.
- 4. To that end, the Court will grant limited relief and modify its injunction Order from July 9, 2018 which will be modified as follows: All remaining the early voting poll locations not opening Friday, July 13, 2018¹ for the August 2, 2018, election shall open on Tuesday July

¹ The Court previously ordered that the so-called "head start" early voting locations at Abundant Grace Fellowship Church, 1574 E. Shelby Drive, Memphis, TN 38119; New Bethel Missionary Baptist Church, 7786 Poplar Pike, Germantown, TN 38138; and Shelby County Election Commission, 980 Nixon Drive, Memphis, TN 38134 as well as the court-added polling locations of Dave Wells Community Center, 915 Chelsea Ave., Memphis, TN 38107 and

17th instead of on Monday July 16th as was previously ordered by the Court on July 9, 2018. Defendants are prohibited from making any further changes relative to early voting for the August 2, 2018, election.

5. In the event Defendants need to make changes to early voting for the August 2, 2018, election, the Defendants are required to obtain Court approval first. The Issues Set and It Franced by Plantiffs' pleadings shall remain under the continuing jurisdiction Of this Court IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendants'

HONORABLE JOEDAE L. JENKINS

DATE

motion to modify the Court's injunction Order of July 9, 2018 is hereby granted.

Approved for Entry:

John L. Ryder #08258

Pablo A. Varela #29436

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Attorneys for Plaintiffs CH-18-1003

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IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE MEMPHIS BRANCH (NAACP), ANGELA BARKSDALE, DR. NOEL HUTCHISON, TAMARA HENDRIX and JANICE F. SCOTT, Plaintiffs,

Plaintiffs,

VS.

No. CH-18-1003-2

SHELBY COUNTY ELECTION COMMISSION,
LINDA PHILLIPS in her official capacity as
Administrator of the Shelby County Election
Commission, NORMA LESTER, ROBERT MEYERS,
DEE NOLLNER, ANTHONY TATE, and STEVE STAMSON,
in their Official Capacities as Members
of the Board of Commissioners of the
Shelby County Election Commission,
Defendants.

MYRON LOWERY, Individually,
COREY O. STRONG, Individually and as
Chair of the Shelby County Democratic Party,
Plaintiffs,

VS.

NO. CH-18-0998-3

SHELBY COUNTY ELECTION COMMISSION,
ROBERT D. MEYERS, NORMA LESTER,
DEE NOLLNER, STEVE STAMSON, ANTHONY
TATE, in their Official Capacities as
Members of the Shelby County Election Commission,
and LINDA PHILLIPS, Administrator of Elections,

RULING OF CHANCELLOR JOE DAE JENKINS

JULY 10, 2018

APPEARANCES

On Behalf of the Plaintiffs Lowery and Strong:

MS. JULIE BYRD ASHWORTH Attorney at Law 5575 Poplar Avenue, Suite 723 Memphis, TN 38119

On Behalf of the Defendants NAACP, Barksdale, Hutchison, Hendrix and Scott:

MR. ALEXANDER C. WHARTON MR. ANDRE C. WHARTON Attorneys at Law Wharton Law Firm 1575 Madison Avenue Memphis, TN 38104

On Behalf of the Defendants:

MR. JOHN L. RYDER
MR. PABLO A. VARELA
Attorneys at Law
Harris, Shelton, Hanover & Walsh
40 South Main Street, Suite 2210
Memphis, TN 38103

* * * * * * *

THE COURT: All right. Well, here's what we're going to do. I have to balance the overall scheme for the election coming forward and notwithstanding the troubling remarks that the administrator made with the newspaper, which hopefully I'll get a chance to address with her at some point in the future. I think the best possible course for the citizens of Shelby County is to ensure that a plan goes forward that the commission and the administrator agree that is workable. To that extent, my prior ruling will be modified so that the election -- early election poling sites will be open on the 17th as opposed, to the 16th. I want a trial date.

THE CLERK: How far do you want?

THE COURT: About 60 days. So to the extent that the defendant's motion for modification or stay has been filed and this Court has heard its arguments and the opposing arguments of the plaintiffs, the Court will grant the limited relief of advancing that particular day from the 16th to the 17th. Mr. Ryder, will you prepare an order to that extent?

MR. RYDER: I will do so. Thank you, Your Honor.

THE COURT: Any questions?

MR. ALEXANDER WHARTON: Your Honor, procedurally, we filed our matter, the NAACP matter, one oh oh eight, was in Part II, we filed a motion for expedited discovery with the actual questions. We are asking, being that this is a very sensitive and critical matter, for the sake of our --

THE COURT: How soon do you want the trial?

MR. ALEXANDER WHARTON: Well, Your Honor mentioned 60 days. If we can get discovery -- these are very straightforward questions. If we could have discovery in no less than two to three weeks. This is something that I think the Election Commission --

THE COURT: Give them discovery -- not discovery, a scheduling order. And if you-all would complete the scheduling order, give me some proposed deadlines before you leave here today. We're going to give you a trial date very shortly, and the Court is going to expedite the response

times so that we can meet the deadlines for the trial. Yes, ma'am?

MS. BYRD-ASHWORTH: May I ask one question? I want to make sure that the Court is keeping open Abundant Grace, New Bethel, which were already going to be open starting the 13th, and they are not going to be closed. The Court ordered either Dave wells or Ed Rice and Mississippi Boulevard, those will remain open starting the 13th and will not be closed?

THE COURT: Right.

MS. BYRD-ASHWORTH: And since the Court is giving the defendants relief -- and I respect the Court's ruling, and again I understand, and I will explain it to my clients. But to the extent that the defendants open additional sites other than the Court Order, that's what my concern is, is that they have come in without producing Administrator Phillips and gotten the Court -- and the Court has heard their argument and given them relief for one day. I don't want that used to open up other sites, because they said they couldn't even open all of the sites on the 16th. That's my concern. I don't know whether the Court can fashion a

remedy, and I'm not trying to argue --2 THE COURT: Well, they are prohibited from doing any other action relative to this election. 3 That is my order. Is that your understanding? 4 MS. BYRD-ASHWORTH: I wanted to make that 5 abundantly clear. 6 MR. RYDER: I didn't understand it that 7 way, but if that's the Court's Order, that's the 8 Court's Order. 9 THE COURT: Right, yeah, that is my 10 11 intention. 12 MR. RYDER: I think Ms. Byrd omitted --13 THE COURT: Now, if there is a need -- at this point in time if there is a need to make any 14 adjustments, you need to come back here and we need 15 to talk about it. 16 MR. RYDER: That's how I anticipated it 17 should work. Ms. Byrd omitted the Nixon Drive 18 location, but I assume we all take that as a given? 19 THE COURT: Absolutely. 20 MR. RYDER: That's fixed in State law. 21 Required by law, 22 MS. BYRD-ASHWORTH: absolutely. 23

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THE COURT: Now, according to statute,

then, you-all will be under my jurisdiction for a year. So that if you need to do something going forward, even until the general election in November, if you're going to change some things, we need to talk about it in advance. You'll need to, if you're -- you'll need to report to me any major changes.

MR. RYDER: I'm sorry, I didn't see that in Your Honor's ruling.

THE COURT: Well, I didn't get that specific. But if there's any question about it, then I think you should err on the side of caution. Well, let me ask you now. Is there a plan to make any further --

MR. RYDER: I don't know.

THE COURT: -- changes?

MR. RYDER: I don't know.

THE COURT: Okay.

MR. ALEXANDER WHARTON: Out of an abundance of caution and on behalf of the NAACP, in our prayer for relief in the complaint or the allegations we raised relate directly to the August election and those actions that took place prior to then and allegations as to the Open Meetings Act

and violations therefor. So I would not want there to be any issue with the November election, of course, but that is at this point not a ripe matter.

THE COURT: It's not properly before the Court, but I would suggest and I still maintain that if you're going to make major issues, major changes, you want to make sure that you give the public notice.

MR. RYDER: I think we can -- I think we can commit to do that, Your Honor. And certainly any other issues we can take up -- we're going to get a trial date, and we can deal with some of these at the trial. But on behalf of my client, I will commit if there are going to be any major changes to early voting, we'll make sure that there is adequate public notice.

THE COURT: All right. You'll prepare the order?

MR. RYDER: I'll draft the order and circulate it to counsel, and we'll be back with it as soon as we have...

MS. BYRD-ASHWORTH: I would ask that we do exactly --

THE COURT: Just a second.

MR. RYDER: We'll draft the order and circulate it.

MS. BYRD-ASHWORTH: I would simply ask that we do exactly like we did with the order from yesterday's ruling, we attach the ruling of the Court as a transcript to a bare bones order. Because the Court has been clear and concise, and I want the Order to have everything in it, and I want to make sure we read this transcript again before we enter it.

THE COURT: I'll let you all work that out. If you all can't work that out, then of course the Court will address it at the appropriate time.

MR. RYDER: Thank you, Your Honor.

THE COURT: Just hold up. We need to get this trial date, and then you all need to work on the scheduling order before you leave.

MR. ALEXANDER WHARTON: Your Honor, in terms of the execution of the Order, the entry of it, do you want us to just leave that with your clerk?

THE COURT: Yes.

MR. ALEXANDER WHARTON: Okay.

THE COURT: All right. Look at your calendars for October 8th.

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MR. ALEXANDER WHARTON: For a trial date, Your Honor?

THE COURT: A trial date, yes.

MS. BYRD-ASHWORTH: Your Honor, I don't think we'll be able to complete all this in time. Just working through the basic orders, joining parties we've got until the end of July, initial motion to dismiss, we want to give everybody some time after that, that would be August 13th. If we have to amend the pleading in response to a motion to dismiss, we wanted a week to do that, August 20th, and then we're getting into the written discovery phase, and then we want to do oral discovery after we get our written discovery, and we want to do this in a complete and thorough manner for the protection of the citizens of Shelby County and so that we can continue to maintain our lawsuit.

MR. ALEXANDER WHARTON: I think the one thing that we were considering, and I haven't spoken with Mr. Ryder about, we don't want there to

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be any issue as to the November election with us interrupting how the Election Commission needs to operate in terms of making decisions for that. maybe a trial date beyond the November date but we could complete --MR. RYDER: I'm not available on October 8th. MR. ALEXANDER WHARTON: I don't have any objection to going beyond the November election --I don't know about Ms. Byrd -- for a trial. MS. BYRD-ASHWORTH: I don't, Your Honor. THE COURT: All right. Then see Mr. Brown, and you all work it out and find a trial date and get a scheduling order that we can all agree to that keeps us on schedule. MR. ALEXANDER WHARTON: Very good. MR. RYDER: Thank you, Your Honor. MR. ALEXANDER WHARTON: Thank you. MS. BYRD-ASHWORTH: Your Honor is off the I know you've given us two days of your s life you hadn't ordinarily planned. You're back on the bench next week? Two weeks? Six weeks? THE COURT: I'll be back Thursday. Oh, this week? MS. BYRD-ASHWORTH:

1	THE COURT: Yes.
2	MS. BYRD-ASHWORTH: Okay, great. So we
3	can get all this done and we can approach you maybe
4	Friday?
5	THE COURT: Yes.
6	MS. BYRD-ASHWORTH: Great. Yes, sir. I
7	just wanted to make sure.
8	MR. RYDER: Very good. Thank you, Your
9	Honor.
10	THE COURT: All right. Thank you.
11	Anything else?
12	(No response.)
13	THE COURT: Stand adjourned.
14	END OF PROCEEDINGS.
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REPORTER'S CERTIFICATE STATE OF TENNESSEE) COUNTY OF SHELBY I, CHERI SULLIVAN, RPR, CCR, LCR, a Notary Public in and for the said state and county, hereby certify that I reported the foregoing proceedings at the time and place set forth in the caption hereof. I further certify that the foregoing proceedings were taken down in stenograph by me; was thereafter transcribed and reduced to typewriting by myself; and the transcript constitutes a full, true and correct record of the foregoing proceedings. I FURTHER CERTIFY that I am not related to any of the parties named herein, nor their counsel: I am not an agent, attorney or counsel for any of the parties; and I have no interest, financial or

IN WITNESS WHEREOF, I have hereunto affixed my signature and official seal on July 11, 2018.

otherwise, in the outcome or events of this action.

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Cheri Sullivan

CHERI SULLIVAN, RPR, CCR(AR), LCR(TN)
Registered Professional Reporter

Arkansas CCR NO. 247

Tennessee LCR NO. 171, Expires June 30, 2020 Notary Commission Expiration: February 29, 2020

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1	adequate [1] - 8:17	Bohalf [3] - 2:2, 2:6,	CLERK [1] - 3:16	D
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