

Stockbridge”], Dkt. No. [13]. Yesterday, the Court held a hearing in which the Court expressed concern that the State of Georgia, and its public purpose in passing this law (which is an element of the Contracts Clause challenge), was completely unrepresented.¹ This concern is even more acute because pursuant to Federal Rule of Civil Procedure 5.1(c), the Georgia Attorney General’s 60-day intervention period has not yet run.²

At the hearing, Plaintiffs in both matters consented to joining the Georgia Attorney General. In light of that consent, the Court therefore **ORDERS** Plaintiffs in both actions to amend their complaints to join Attorney General Christopher Carr to this action and serve him by Wednesday, September 26, 2018. The Attorney General is **ORDERED** to respond to the Plaintiffs’ Motions for Preliminary Injunctions by **Wednesday, October 3, 2018**. The Attorney General may raise any immunity arguments in that brief, if he so chooses, but the Court also **ORDERS** the Attorney General to address Plaintiffs’ arguments on the merits—specifically, whether the State had a public purpose in enacting these Acts. Should the Attorney General not respond to the Motions’ merits, the Court will deem his non-response in support of the proposition that the State does not

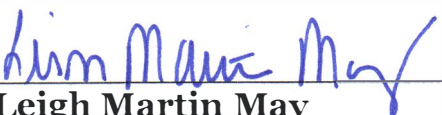
¹ In the COPF suit, the Intervenor stated that the State did not have a public purpose in enacting either of the Georgia Acts at issue. In the City of Stockbridge suit, Plaintiffs have sued Defendants who, by virtue of their positions, are unable to comment at all regarding the constitutionality of the Acts.

² While the Attorney General has filed a brief in support of Secretary of State Brian Kemp’s absence, because Kemp has no role to play in the certification of this local election, the Attorney General did not make a statement on the merits regarding the State’s interest in enacting these laws.

contend that it has a public purpose in enacting these Acts (or, at a minimum, that it does not elect to defend the Acts' constitutionality).

The parties are also **ORDERED** to serve the Attorney General with this Order simultaneously with their amended complaints. Plaintiffs are **ORDERED** to file Reply Briefs to the Attorney General's Response, if they so choose, by Monday, October 8, 2018.

IT IS SO ORDERED this 25th day of September, 2018.



Leigh Martin May
United States District Judge