

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
FRANKFORT DIVISION

THE LIBERTARIAN PARTY OF : Case No. 3:15-CV-86 GFVT  
KENTUCKY, *et. al.* :  
 : *Electronically Filed*  
 :  
 Plaintiffs :  
 :  
 v. :  
 :  
 ALISON LUNDERGAN GRIMES, :  
 et. al. :  
 :  
 Defendants :

**PLAINTIFFS' EMERGENCY MOTION FOR EXPEDITED CONSIDERATION AND  
DEADLINES TO RESOLVE AND HEAR THIS MATTER**

Plaintiffs, by and through Counsel, move this Court for emergency expedited consideration of this constitutional lawsuit. The grounds for this motion are set forth in the attached Memorandum in Support, which is incorporated by reference. A proposed order is likewise attached.

Respectfully submitted,

/s/ Christopher Wiest  
Christopher Wiest (KBA 90725)  
Paul Darpel (KBA 84989)  
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859/486-6850 (v)  
513/257-1895 (c)  
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**Attorneys for Plaintiffs**

**CERTIFICATE OF SERVICE**

I certify that I have sent a copy of the foregoing to all counsel of record via filing in the Court's CM/ECF system, which provides notice and service of same to each party of record, this 3 day of February, 2016.

/s/ Christopher Wiest  
Christopher Wiest (KBA 90725)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
FRANKFORT DIVISION

THE LIBERTARIAN PARTY OF KENTUCKY, *et. al.* : Case No. 3:15-CV-86 GFVT  
 : *Electronically Filed*  
 Plaintiffs :  
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 v. :  
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 ALISON LUNDERGAN GRIMES, :  
 et. al. :  
 Defendants :

**PLAINTIFFS’ MEMORANDUM IN SUPPORT OF THEIR EMERGENCY MOTION FOR EXPEDITED CONSIDERATION AND DEADLINES TO RESOLVE AND HEAR THIS MATTER**

This lawsuit involves challenges to Kentucky’s ballot access scheme. It seeks declaratory relief, and injunctive relief that seeks an order that requires the Defendants, members of Kentucky’s State Board of Elections, to place Plaintiffs’ duly nominated candidates on the general election ballot. *See, also, Williams v. Rhodes*, 393 U.S. 23, 30, 89 S. Ct. 5, 21 L. Ed. 2d 24 (1968) (directing placement of political party candidates on the ballot, where they sought expedited consideration in time for ballots to be printed).

Attached, as Exhibit A, is Defendants’ 2016 Election Schedule.<sup>1</sup> That election schedule contemplates candidate filings by petition by August 9, 2016. It further contemplates a ballot printing deadline of September 19, 2016.

The Sixth Circuit has long cautioned that "last-minute injunctions changing election procedures are strongly disfavored." *Serv. Employees Int’l Union Local 1 v. Husted*, 698 F.3d

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<sup>1</sup> Available at: [http://elect.ky.gov/SiteCollectionDocuments/Election%20Calendars/2016%20Election%20Calendar%20\(LSZ\).final%20approval%201-22-2014.pdf](http://elect.ky.gov/SiteCollectionDocuments/Election%20Calendars/2016%20Election%20Calendar%20(LSZ).final%20approval%201-22-2014.pdf) (last visited 2/2/2016)

341, 343 (6th Cir. 2012) (per curiam) (collecting prior cases); *Russell v. Lundergan-Grimes*, 769 F.3d 919, 921 (6<sup>th</sup> Cir. 2014).

Conversely, case law is clear that, in constitutional cases such as this case, irreparable harm is established by the loss of constitutional freedoms for even minimal periods of time.

*Connection Dist. Co. v. Reno*, 154 F.3d 281, 288 (6th Cir. 1998); *Elrod v. Burns*, 427 U.S. 347, 373, 96 S. Ct. 2673, 49 L. Ed. 2d 547 (1976); *Overstreet v. Lexington-Fayette Urban Cnty. Gov't*, 305 F.3d 566, 578 (6th Cir. 2002).

To avoid those competing concerns, Plaintiffs now move for expedited consideration of this matter. Today, they filed their Motion for a Temporary Restraining Order, Injunctive Relief, and Summary Judgment. [RE#16]. As noted in that Motion, Plaintiffs anticipate the possibility of 60 days for discovery (particularly if the Court finds that summary judgment is not appropriate), and then a hearing on the matter to be set. Provided a decision could be reached by early June, 2016, there would be sufficient time for an adequate appeal to the Sixth Circuit on an expedited basis by the parties, sufficient to have a decision reached by the ballot printing deadline of September 19, 2016.

Plaintiffs request that this Court set the matter down for an expedited schedule and an expedited ruling, sufficient to not interrupt the Commonwealth's election machinery in the event they are successful.

Respectfully submitted,

/s/ Christopher Wiest  
Christopher Wiest (KBA 90725)  
Paul Darpel (KBA 84989)  
Chris Wiest, Atty at Law, PLLC  
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**Attorneys for Plaintiffs**

**CERTIFICATE OF SERVICE**

I certify that I have sent a copy of the foregoing to all counsel of record via filing in the Court's CM/ECF system, which provides notice and service of same to each party of record, this 3 day of February, 2016.

/s/ Christopher Wiest  
Christopher Wiest (KBA 90725)

**2016 KENTUCKY ELECTION CALENDAR  
[2017 No Scheduled Elections]**

DATE	EVENT	AUTHORITY
*Within 60 days of a city boundary change	On or before 1/1/2011 each city clerk shall provide to the county clerk in which the city is located a list of all properties within the city and a map of the city boundaries to be used by the county clerk to maintain a roster of voters eligible to vote in city elections. *Documentation of subsequent change to the boundaries of a city shall be reported to the county clerk in accordance with KRS 81A.470 and 81A.475.	KRS 116.200(1)(a)  KRS 116.200(1)(b)
*Within 60 days of change or immediately if the change is within 60 days of the 8/1 deadline	On or before 1/1/2011 each school board district shall provide to the county clerk maps and written descriptions of the boundaries of each school board district located in the county for the county clerk to maintain a roster of voters who are eligible to vote in school board elections. *Documentation of subsequent change to a school district's boundaries shall be reported to the county clerk within 60 days of the change, or immediately if the change is within 60 days of the August 1 deadline in KRS 160.210(4)(d).	KRS 116.200(2)(a)  KRS 116.200(2)(b)
<b>JANUARY</b>		
1/12	State board of elections to convene to nominate as presidential preference primary candidates all those candidates of the political parties for the office of President of the United States who have qualified for matching federal campaign funds (second Tuesday in January preceding a presidential preference primary).	KRS 118.581
1/26 4:00 PM	Last day for any person seeking the endorsement by a political party for the office of President of the United States to file a petition signed by 5,000 persons of the same political party or a notice of candidacy with supporting documentation (last Tuesday in January).	KRS 118.591
1/26 4:00 PM	Candidate filing deadline: last day to file nomination papers for candidates who must run in primary (last Tuesday in January).	KRS 118.165(1) KRS 83A.045 KRS 118A.060
1/27	When city boundaries extend beyond single county, county clerk shall certify names as required by KRS 83A.047 (on the day following candidate filing deadline).	KRS 83A.047
1/28 2:00 PM	Public drawing for ballot position in offices of Secretary of State and county clerks (Thursday following last Tuesday in January).	KRS 118.225(2), (3) KRS 118A.060(4)
<b>FEBRUARY</b>		
2/8	Secretary of State to certify candidates' names to county clerks (second Monday after filing deadline).	KRS 118.215(1) KRS 118A.060(5)
2/8	Last day for Secretary of State to certify to county clerks names of candidates for presidential preference primary (not later than the date set forth in KRS 118.215(1)(a)).	KRS 118.601(3)
2/23	Last day for county clerks to notify state board of elections if there are too many certified candidates to be accommodated on the voting machines (last Tuesday in February).	KRS 118.215(5)

**2016 KENTUCKY ELECTION CALENDAR**  
**[2017 No Scheduled Elections]**

DATE	EVENT	AUTHORITY
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**MARCH**

3/15	Last day for Republican and Democratic county executive committees to submit names for appointment of precinct officers to county boards of elections (March 15 each year).	KRS 117.045(2)
3/21	Last day for county boards of elections to appoint precinct officers (March 20 each year).	KRS 117.045(1)
3/28	Deadline for printing of regular and absentee ballots for primary (50 days before primary).	KRS 117.085(5) KRS 117.145(1)
3/31	Last day for county clerks to mail absentee ballots to voters who request absentee ballots prior to the printing of the ballots. County clerk must mail to the voter (within 3 days of the receipt of the printed ballots. Absentee ballots that are requested subsequent to the receipt of the ballots by the county clerks shall be mailed to the voter within 3 days of the receipt of the application).	KRS 117.085(4) 42 USC § 1973ff-1(a)(8)(A)

**APRIL**

4/1 4:00 PM	Last day for independent, political organization and political group candidates, except candidates for federal office and candidates for mayor or legislative body in cities of the second to sixth class participating in partisan elections, to file a statement-of-candidacy form with the same office at which nomination papers are filed (not later than April 1 preceding the day fixed by law for holding of general elections for the offices sought. If filing office is closed on April 1, form may be filed on next business day).	KRS 118.367(1)
4/15	Last day for candidates to submit lists of proposed challengers to the chair or secretary of county political party committee (not later than the third Friday in April).	KRS 117.315(1)
4/18-5/10	County clerks to test automatic tabulating equipment (not more than 30 nor less than 5 days prior to election day).	KRS 117.389
4/18	Last day to register to vote for the primary.	KRS 116.045(2)
4/19-5/23	Registration books are closed (fourth Tuesday proceeding through first Monday following primary).  [This time period may vary depending on whether the last day to register to vote falls on a state or federal holiday. If the last day to register to vote falls on a state or federal holiday, the period runs until the end of the next day that is not a Saturday or Sunday nor a state or federal holiday. KRS 446.030(1)(b)]	KRS 116.045(2)
4/25 *absentee voting to begin 4/29	Last day for clerks to notify county boards of elections that machines are ready for use (not later than 4 business days preceding the date set by the county board of elections to conduct absentee voting).  *[This date may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.165(2)
4/25 *absentee voting to begin 4/29	Last day for county board of elections to publish notice of time when the absentee voting machines are to be examined by the board (not less than 24 hours before examination).  [This time period may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.165(2)

**2016 KENTUCKY ELECTION CALENDAR**  
**[2017 No Scheduled Elections]**

DATE	EVENT	AUTHORITY
4/26 *absentee voting to begin 4/29	Last day for county boards of elections to examine machines (not later than 3 business days preceding the date set by the county board of elections to conduct absentee voting). *[This date may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.165(2)
4/27	Last day for lists of challengers to be submitted to county clerk (at least 20 days before primary).	KRS 117.315(1), (2) & (5)
4/29-5/16	Voter may make application to vote absentee in county clerk's office <u>at least 12 working days</u> preceding election. *[This time period may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.085(1)(c)
<b>MAY</b>		
5/4-5/17	Voter and his or her spouse may request paper absentee ballot because of medical emergency (within 14 days or less of an election).	KRS 117.077
5/6	Last day for county boards of elections to send written notice of appointment to precinct officers (not less than 10 days before primary).	KRS 117.045(7)
5/10	Last day to apply for mail-in absentee ballot (not later than close of business 7 days before primary). Applications must be received by this day.	KRS 117.075 KRS 117.085
5/10	Last day for any voter who has received an absentee ballot by mail but who knows at least 7 days before election day that he or she will be in the county on election day and who has not voted the absentee ballot to cancel his or her absentee ballot and return it to the county clerk's office (no later than 7 days before the election). Such a voter shall vote in person.	KRS 117.085(7)
5/10-5/16	Members of the Armed Forces confined to a military base on election day who learn of that confinement within 7 days or less of an election may make application to vote absentee in the county clerk's office.	KRS 117.085(1)(e)(5)
5/10	Last day for state board of elections to furnish county clerks with lists of registered voters (at least 5 days before primary).	KRS 117.025(3)(b)
5/12	Last day for county clerks to notify county boards of elections that machines are ready for use (not later than Thursday before election).	KRS 117.165(1)
5/12	Last day for county clerks to publish copy of ballot (not less than 3 days before primary).	KRS 424.290(1)
5/12	Last day for county boards of elections to publish notice of time when the machines are to be examined by the board (not less than 24 hours before examination).	KRS 117.165(1)
5/13	Last day for county boards of elections to examine machines (not later than the Friday before primary).	KRS 117.165(1)

**2016 KENTUCKY ELECTION CALENDAR**  
**[2017 No Scheduled Elections]**

DATE	EVENT	AUTHORITY
5/17	Primary Election Day (first Tuesday after third Monday in May) Polls open 6 a.m. to 6 p.m., prevailing time. County boards of elections to be in session all day. Mail-in absentee ballots must be received by clerk before 6 p.m., prevailing time. County boards of elections to meet at county clerk's office at 10 a.m. to count absentee ballots.	KRS 118.025(3) KRS 118.035(1) KRS 117.035(4) KRS 117.086(1) KRS 117.087(3)
5/18-5/27	Voting machines and ballot boxes to be locked (10 days following primary).	KRS 117.295(1)
5/20 12:00 PM	County boards of elections shall certify the total number of votes to the Secretary of State's office (not later than 12 p.m., prevailing time, on the Friday following the election).	KRS 118.425(4)
5/20	Last day for precinct sheriffs to file report (within 3 days after primary).	KRS 117.355(1)
5/24 4:00 PM	Deadline to request canvass (before 4 p.m. on Tuesday after primary).	KRS 117.305(1)
5/26 9:00 AM	County boards of elections shall conduct any requested canvass (at 9 a.m. on Thursday after deadline to request a canvass, and not sooner).	KRS 117.305(1)
5/27	Last day for county boards of elections to file post-election reports to the state board of elections and county grand jury (within 10 days after primary).	KRS 117.355(2)
5/30	Last day for county boards of elections to issue certificates of nomination (not later than the second Monday after election).	KRS 118.425(2)
<b>JUNE</b>		
6/6	Last day for state board of elections to meet to tabulate votes and make out certificates of nomination (not later than the third Monday after election).	KRS 118.425(5)
6/16	Last day for county clerks to send precinct rosters and recapitulation sheets to state board of elections (within 30 days after any primary or general election).	KRS 117.275(7) KRS 117.355(3)
<b>AUGUST</b>		
8/9 4:00 PM	Candidate filing deadline: last day to file any petition, certificate, or statement that must be filed by second Tuesday in August.	KRS 118.365 KRS 118.375 KRS 83A.045
8/10	When city boundaries extend beyond single county, county clerk shall certify names as required by KRS 83A.047 (on the day following candidate filing deadline).	KRS 83A.047
8/11 2:00 PM	Public drawing for ballot position in offices of Secretary of State and county clerks (Thursday following second Tuesday in August).	KRS 118.225(2), (3) KRS 118A.090 (1)
8/30	Last day for county clerks to notify state board of elections if there are too many certified candidates to be accommodated on the voting machine (last Tuesday in August).	KRS 118.215(5)

## 2016 KENTUCKY ELECTION CALENDAR [2017 No Scheduled Elections]

DATE	EVENT	AUTHORITY
<b>SEPTEMBER</b>		
9/9	Last day to file petitions and certificates of nomination for elections of President and Vice President with the Secretary of State (not later than the Friday following the first Tuesday in September preceding the date fixed by law for the election of the presidential electors).	KRS 118.365(6)
9/12	Secretary of State to certify candidates' names to county clerks (not later than the Monday after the Friday following the first Tuesday in September preceding a general election for those years in which there is an election for President and Vice President of the United States).	KRS 118.215(1)
9/12	Last day for Secretary of State to certify to county clerks the names of candidates for the office of Court of Justice pursuant to KRS 118A.060 (Not later than the date set forth in KRS 118.215(1)(c)).	KRS 118A.090(2)
9/19	Deadline for printing of regular and absentee ballots (at least 50 days before election).	KRS 117.085(5) KRS 117.145(1)
9/20	Last day for county boards of elections to establish voting places (September 20 of each year).	KRS 117.065(1)
9/22	Last day for county clerks to mail absentee ballots to voters who request absentee ballots prior to the printing of the ballots (within 3 days of the receipt of the printed ballots. Absentee ballots that are requested subsequent to the receipt of the ballots by the county clerks shall be mailed to the voter within 3 days of the receipt of the application).	KRS 117.085(4) 42 USC § 1973ff-1(a)(8)(A)
<b>OCTOBER</b>		
10/11	Last day to register to vote for the general election. [Monday, October 10, 2016, is a legal holiday (Columbus Day).]	KRS 116.045(2)
10/11-11/1	County clerks to test automatic tabulating equipment (not more than 30 nor less than 5 days prior to election day). [Monday, October 10, 2016, is a legal holiday (Columbus Day). See KRS 446.030(1)(a).]	KRS 117.389
10/12-11/14	Registration books are closed (fourth Tuesday proceeding through first Monday following election). [Monday, October 10, 2016, is a legal holiday (Columbus Day).]	KRS 116.045(2)
10/17 *absentee voting to begin 10/21	Last day for clerks to notify county boards of elections that machines are ready for use (not later than 4 business days preceding the date set by the county board of elections to conduct absentee voting).  *[This date may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.165(2)
10/17 *absentee voting to begin 10/21	Last day for county board of elections to publish notice of time when the absentee voting machines are to be examined by the board (not less than 24 hours before examination).  *[This date may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.165(2)

**2016 KENTUCKY ELECTION CALENDAR**  
**[2017 No Scheduled Elections]**

DATE	EVENT	AUTHORITY
10/18 *absentee voting to begin 10/21	Last day for county boards of elections to examine machines (not later than 3 business days preceding the date set by the county board of elections to conduct absentee voting). *[This date may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.165(2)
10/19	Last day for lists of challengers to be submitted to county clerks (at least 20 days before election).	KRS 117.315(2), (3) & (5)
10/21-11/7	Voter may make application to vote absentee in county clerk's office at least 12 working days preceding election. [This time period may vary depending on whether the county clerk intends to conduct absentee voting on Saturdays and whether the clerk intends to conduct absentee voting in the office for more than 12 working days before an election.]	KRS 117.085(1)(c)
10/26-11/8	Voter and his/her spouse may request paper absentee ballot because of medical emergency (within 14 days or less of election).	KRS 117.077
10/28 4:00 PM	Last day to file a declaration of intent as a write-in candidate (on or before the fourth Friday in October).	KRS 117.265(2)
10/28	Last day for county boards of elections to send written notice of appointment to precinct officers appointed since the primary (not less than 10 days before election).	KRS 117.045(7)
<b>NOVEMBER</b>		
11/1	Last day to apply for mail-in absentee ballot (not later than close of business 7 days before election). Applications must be received by this day.	KRS 117.075 KRS 117.085
11/1	Last day for any voter who has received an absentee ballot by mail but who knows at least 7 days before election day that he or she will be in the county on election day and who has not voted the absentee ballot to cancel his or her absentee ballot and return it to the county clerk's office (no later than 7 days before the election). Such a voter shall vote in person.	KRS 117.085(7)
11/1-11/7	Members of the Armed Forces confined to a military base on election day who learn of that confinement within 7 days or less of an election may make application to vote absentee in the county clerk's office.	KRS 117.085(1)(e)(5)
11/1	Last day for state board of elections to furnish county clerks with lists of registered voters (at least 5 days before election). [See KRS 446.030(1)(a).]	KRS 117.025(3)(c)
11/3	Last day for county clerks to notify county boards of elections that machines are ready for use (Thursday before election).	KRS 117.165(1)
11/3	Last day for county clerks to publish copy of ballot (not less than 3 days before election).	KRS 424.290(1)
11/3	Last day for county boards of elections to publish notice of time when the machines are to be examined by the board (not less than 24 hours before examination).	KRS 117.165(1)
11/4	Last day for clerk to equip machines with supplies for write-in votes (not later than Friday before election).	KRS 117.145(3)
11/4	Last day for county boards of elections to examine machines (not later than Friday before election).	KRS 117.165(1)

**2016 KENTUCKY ELECTION CALENDAR**  
**[2017 No Scheduled Elections]**

DATE	EVENT	AUTHORITY
11/8	General Election Day (first Tuesday after first Monday in November). Polls open 6 a.m. to 6 p.m., prevailing time. County boards of elections to be in session all day. Mail-in absentee ballots must be received by clerk before 6 p.m., prevailing time. County boards of elections to meet at county clerk's office at 10 a.m. to count absentee ballots.	Ky. Const. § 148 KRS 118.025(4) KRS 118.035(1) KRS 117.035(4) KRS 117.086(1) KRS 117.087(3)
11/9-12/8	Voting machines and ballot boxes to be locked 30 days following election.	KRS 117.295(1)
11/14 12:00 PM	County boards of elections shall certify the total number of votes to the Secretary of State's office (not later than 12 p.m., prevailing time, on the Friday following the election). [Friday, November 11, 2016, is a legal holiday (Veterans Day). See KRS 446.030(1)(b)].	KRS 118.425(4)
11/14	Last day for precinct sheriffs to file report (within 3 days after election). [Friday, November 11, 2016, is a legal holiday (Veterans Day). See KRS 446.030(1)(b)].	KRS 117.355(1)
11/15 4:00 PM	Deadline to request recanvass (before 4 p.m. on Tuesday after election).	KRS 117.305(1)
11/17 9:00 AM	County boards of elections shall conduct any requested recanvass (at 9 a.m. on Thursday after deadline to request recanvass, and not sooner).	KRS 117.305(1)
11/18	Last day for county boards of elections to file post-election reports to the state board of elections and county grand jury (within 10 days after election).	KRS 117.355(2)
11/21	County boards of elections (except counties containing cities of the first class; see KRS 118.425(3)) shall issue certificates of election (not later than second Monday after the election).	KRS 118.425(2)
11/28	Last day for state board of elections to meet to tabulate votes and make out certificates of election (not later than third Monday after election).	KRS 118.425(5)
<b>DECEMBER</b>		
12/8	Last day for county clerks to send precinct rosters and recapitulation sheets to state board of elections (within 30 days after any primary or general election).	KRS 117.275(7) KRS 117.355(3)
12/19 11:45 AM	Meeting of Presidential electors at State Capitol (first Monday after second Wednesday in December next after their election).	KRS 118.445
12/31	Last day to change political party affiliation and be eligible to vote in that political party affiliation's upcoming primary election (December 31 immediately preceding primary election).	KRS 116.055
<b>THERE ARE NO SCHEDULED ELECTIONS IN 2017</b>		

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
FRANKFORT DIVISION

THE LIBERTARIAN PARTY OF KENTUCKY, <i>et. al.</i>	:	Case No. 3:15-CV-86 GFVT
	:	<i>Electronically Filed</i>
Plaintiffs	:	
v.	:	
ALISON LUNDERGAN GRIMES, <i>et. al.</i>	:	
Defendants	:	

**ORDER GRANTING PLAINTIFFS' MOTION FOR EMERGENCY EXPEDITED  
CONSIDERATION OF THIS MATTER**

The Court, being fully apprised in the premises, GRANTS Plaintiffs' Motion for Expedited Consideration of this Matter.

Defendants' shall file a response, if any, to Plaintiffs' Motion for Temporary Restraining Order, Preliminary Injunction, Permanent Injunction and Summary Judgment by February 29, 2016. Plaintiffs may file a Reply on or before March 17, 2016.

Plaintiffs and Defendants may conduct discovery, for a period of 60 days from this Order. Any party propounding written discovery shall do so within 14 days of this Order. Any party's response to written discovery shall be within 21 days of service of same. The parties shall immediately schedule any depositions they desire to take, including FRCP 30(b)(6) of the Kentucky State Board of Elections, to occur after within the period of receipt of written discovery responses and the close of discovery.

The parties may supplement the record with evidence obtained in discovery within 14 days of the close of discovery.

IT IS SO ORDERED:

\_\_\_\_\_  
Judge Van Tatenhove