

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA

MIRNA MICHEL JABBOUR, and  
NATIONAL DEFENSE COMMITTEE,

Plaintiffs,

v.

JOHN H. MERRILL, in his official capacity  
as Secretary of State, MOBILE COUNTY  
BOARD OF REGISTRARS, KYLE  
CALLAGHAN, in his official capacity as a  
member of the Mobile County Board of Registrars,  
JUDY MOTLOW, in her official capacity as a  
member of the Mobile County Board of Registrars,  
and RON REAMS, in his official capacity as a  
member of the Mobile County Board of Registrars,

Defendants.

Case No. 1:20-cv-00034-JB-N

**STATE DEFENDANTS' OPPOSITION TO PLAINTIFFS' EMERGENCY MOTION TO EXPEDITE  
BRIEFING AND DECISION ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION (DOC. 21)**

Plaintiffs have this afternoon moved this court to expedite the briefing and decision on their motion for preliminary injunction. Doc. 21. Secretary of State John H. Merrill, the Board of Registrars for Mobile County, Board Chair Motlow, and Board Members Callaghan and Reams oppose this motion, as follows:

1. Plaintiffs' counsel this morning notified the undersigned *via* email that they intended "to file later today a motion to expedite setting forth the following requested dates," and set forth the dates in the just-filed motion.

2. *Via* email, the State Defendants responded:

Please state our position as follows: "The State Defendants have no opposition to the Plaintiffs filing early. The State Defendants do oppose any requirement that they file their reply in support of their motion to dismiss sooner than seven days after Plaintiffs file. Seven days is the default under S.D. Ala. CivLR 7(d), and is necessary in light of the number of issues

to be briefed (jurisdictional and merits), counsel's responsibilities in other cases, and the ongoing election which may cause delays in communications with the Secretary of State's office. The State Defendants further oppose holding oral argument on March 3, which is Election Day. Should the court wish to hold a hearing, witnesses may be appropriate, and witnesses involved in the election process cannot reasonably be expected to be in a hearing on Election Day. We would expect election officials to remain very busy with post-election activities through March 10. The State Defendants would not set a date for the court's decision to be rendered."

3. Plaintiffs did not include this position statement in their filing, and so we reproduce here.

Respectfully Submitted,

Steve Marshall  
*Attorney General*

s/Misty S. Fairbanks Messick  
Winfield J. Sinclair (ASB-1750-S81W)  
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