

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

GEORGIA COALITION FOR THE PEOPLES'
AGENDA, INC., as an organization;
GEORGIA STATE CONFERENCE OF THE
NAACP, as an organization; and THIRD
SECTOR DEVELOPMENT, INC., as an
organization;

Plaintiffs,

v.

JOHN NATHAN DEAL, in his official capacity
as Governor of Georgia, and BRIAN P. KEMP,
in his official capacity as Secretary of State for
the State of Georgia,

Defendants.

Civil Action

Case No. _____

**PLAINTIFFS' EMERGENCY
MOTION FOR PRELIMINARY
INJUNCTION**

**EXPEDITED CONSIDERATION
REQUESTED**

ORAL ARGUMENT REQUESTED

PLAINTIFFS' EMERGENCY MOTION FOR PRELIMINARY INJUNCTION

1. Pursuant to Rule 65 of the Federal Rules of Civil Procedure and for the reasons set forth in Plaintiffs' Memorandum of Points and Authorities in Support, Plaintiffs Georgia Coalition for the Peoples' Agenda, Georgia State Conference of the NAACP, and Third Sector Development (collectively, "Plaintiffs") respectfully move the Court for a preliminary injunction requiring that Defendants, Georgia Governor Nathan Deal and Secretary of State Brian Kemp, extend the voter registration deadline in Chatham County or, alternatively, the State of Georgia to prevent the disenfranchisement of aspiring voters in the November 2016 election. Plaintiffs request that, pending final judgment of this case on the merits, this Court

order that Defendants:

- (a) discontinue enforcement of the current voter registration deadline for Chatham County; and
- (b) extend Chatham County's voter registration deadline to account for the lost days and weekend of voter registration up to and including October 18, 2016; or, in the alternative,
- (c) discontinue enforcement of the current voter registration deadline and extend the voter registration for the entire State of Georgia to October 18, 2016.

2. Plaintiffs have submitted a brief detailing the bases for granting such relief and attach the following evidence in support of this motion:

- i. Exhibit A – a letter written by Kristen Clarke, Executive Director of the Lawyers' Committee for Civil Rights Under Law, to Attorney General Sam Olens and C. Ryan Germany, General Counsel for the Georgia Secretary of State, noting the government office closures in Chatham County and asking that the voter registration deadline be extended;
- ii. Exhibit B – an email sent by Mr. Germany to Ms. Clarke, stating that Secretary of Kemp had declined to ask the Governor to extend the voter registration deadline in Chatham County, or anywhere else in the state.
- iii. Exhibit C – an Order Granting Preliminary Injunction, ECF No. 29, issued by the United States District Court for the Northern District of Florida in *Fla. Dem. Party*

- v. *Scott*, No. 4:16-cv-626-MW/CAS (N.D. Fla. Oct. 12, 2016);
- iv. Exhibit D – an Order Granting Temporary Restraining Order, ECF No. 15, issued by the United States District Court for the Northern District of Florida in *Fla. Dem. Party v. Scott*, No. 4:16-cv-626-MW/CAS (N.D. Fla. Oct. 10, 2016);
- v. Exhibit E – the declaration of Helen Butler, Executive Director of Plaintiff the Georgia Coalition for the Peoples’ Agenda, who describes the impact of Hurricane Matthew and the resulting closures of Chatham County government offices on plans for organization members to collect voter registration applications in Chatham County between October 7 and 11, 2016;
- vi. Exhibit F – the declaration of Francys Johnson, President of Plaintiff the Georgia State Conference of the National Association for the Advancement of Colored People, who describes the impact of Hurricane Matthew and the resulting closures of Chatham County government offices on efforts made by the organization to register voters in the county, particularly through their branch office in Savannah and at previously planned voter registration events;
- vii. Exhibit G – the declaration of Nse Ufot, Executive Director of the New Georgia Project and an employee of Plaintiff Third Sector Development, who describes the impact of Hurricane Matthew and the resulting closures of Chatham County government offices on plans for organization members to contact voter registration applicants in Chatham County who had failed to successfully register in the days leading up to the voter registration deadline;

3. Plaintiffs request expedited consideration of this motion for a preliminary injunction pursuant to Local Rule 7.7. Expedited consideration is necessary because the voter registration deadline passed on October 11, 2016. Election Day, November 8, 2016, is fast approaching. Plaintiffs seek to ensure that eligible aspiring voters are able to participate in the upcoming general election.

4. Plaintiffs respectfully request that the Court set this motion for a hearing or permit oral argument.

Dated: October 12, 2016

Respectfully submitted,

By: /s/ William V. Custer
William V. Custer
Georgia Bar No. 202910
Jennifer B. Dempsey
Georgia Bar No. 217536
Bryan Cave LLP
One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, Georgia 30309-3488
Phone: (404) 572-6600
Fax: (404) 572-6999
bill.custer@bryancave.com
jennifer.dempsey@bryancave.com

Ezra D. Rosenberg (*pro hac vice – to be filed*)
Julie Houk (*pro hac vice – to be filed*)
John Powers (*pro hac vice – to be filed*)
Lawyers' Committee for Civil Rights Under Law
1401 New York Avenue NW, Suite 400
Washington, D.C. 20005
Telephone: (202) 662-8600
Facsimile: (202) 783-0857
erosenberg@lawyerscommittee.org
jhouk@lawyerscommittee.org
jpowers@lawyerscommittee.org

Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

This 12th day of October, 2016.

By: /s/ William V. Custer
William V. Custer
Georgia Bar No. 202910
Bryan Cave LLP
One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, Georgia 30309-3488

Phone: (404) 572-6600
Fax: (404) 572-6999
bill.custer@bryancave.com