

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION

NAOMI SPENCER DALY,
DARRELL CASTLE and
DORREL W. ARTHUR,

Plaintiffs,

v.

No. 3:16-cv-08981

NATALIE TENNANT,
in her official capacity as
Secretary of State of the
State of West Virginia,

Defendant.

ORDER GRANTING JOINDER

Having considered the motion of Dorrel W. Arthur to join Brian Wood in his official capacity as Putnam County Clerk as a required party to this action pursuant to Rule 19(a)(1)(A), (B)(ii), *Federal Rules of Civil Procedure*, the Court finds as follows:

1. In the absence of the Putnam County Clerk, this Court cannot accord complete relief among the existing parties.

2. The Putnam County Clerk has an interest related to the subject matter of this action and is so situated that disposing of the action in the absence of the Putnam County Clerk may leave Dorrel W. Arthur subject to a substantial risk of inconsistent obligations.

Accordingly it is **ORDERED** that the motion to join the Putnam County Clerk as an additional defendant to this action be, and the same hereby is, **GRANTED**.

It is further **ORDERED** that the Putnam County Clerk is joined here only in his official capacity and only for the purpose of granting or denying appropriate injunctive relief relative to

the pending emergency motion for temporary restraining order. That motion will be heard by this Court at 1:00 PM on Thursday, September 22, 2016, in the court room situated in the United States Federal Building in Huntington, West Virginia, at which time Brian Wood, in his capacity as Putnam County Clerk may appear and represent his interests if he chooses.

Finally, it is **ORDERED** that a copy of this order together with the previously filed motion for joinder be **served** on Brian Wood, Putnam County Clerk, **forthwith** by delivering a true copy of the same to him in person or by providing him a copy at his office in the Putnam County Courthouse through e-mail or facsimile transmission.

Entered this 21st day of September, 2016.

JUDGE

Presented by:

s/Harvey D. Peyton

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