

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KAREN FINN, et al.,

Plaintiffs,

-v-

**COBB COUNTY BOARD OF
ELECTIONS AND
REGISTRATION, et al.,**

Defendants.

Case No. 22-cv-2300-ELR

**SUPPLEMENTAL MOTION BY INTERVENOR COBB COUNTY
SCHOOL DISTRICT FOR JUDGMENT ON THE PLEADINGS OR
ALTERNATIVELY FOR SUMMARY JUDGMENT**

Intervenor Cobb County School District (“the District”) files this supplemental motion for judgment on the pleadings or alternatively for summary judgment due to Plaintiffs’ failure to articulate liability under Section 1983 for the claims asserted against Cobb County Board of Elections and Registration and its Executive Director (collectively referred to as “BOER”). The District styles this motion as a “supplemental motion” because it applies the Court’s *Monell* analysis in granting the District’s motion for judgment on the pleadings to the claim against the BOER. Because the arguments are based strictly on Plaintiffs’ allegations, and based on the reasoning in the Court’s order of July 18, 2023 it is styled as a motion for judgment on the pleadings.

At the same time, the District is cognizant that the Court interpreted Local Rule 7.1 as requiring motions for judgment on the pleadings to be filed within 30 days of discovery. (Doc. 136, pp. 28-29.) In an abundance of caution, therefore, the District styles it alternatively as a motion for summary judgment even though it is based strictly on the allegations. In the event this motion is not granted, the District may separately move for summary judgment on the *evidence* following the close of discovery.

For the reasons provided in the accompanying brief, this motion should be granted.

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LOCAL RULE 7.1 CERTIFICATION

The undersigned does hereby certify that the foregoing has been prepared with Times New Roman 14-point font in compliance with Local Rule 5.1.

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/s/ Philip W. Savrin

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CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically submitted the foregoing to the Clerk of Court using the Court's E-file system, which will automatically send electronic mail notification of such filing to all parties who have appeared in the action.

This 16th day of August, 2023.

FREEMAN MATHIS & GARY, LLP

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