



VOTING RIGHTS LITIGATION: POST-ELECTION CASES
UPDATED 11/20/20

Developments listed in reverse chronological order, with latest information beneath a bolded time and date stamp. Material new updates are highlighted in the Developments section. If the case is pending an appeal, the case name is highlighted in orange. If the case is pending a quick court decision/action, the case name is highlighted in red. Cases shaded in gray are closed or inactive.

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CASE	ISSUE	Developments (include last updated timestamp)
PENNSYLVANIA		
<i>Republican Party of Pennsylvania v. Boockvar, 20-542 (U.S.)</i> (Motion for an emergency injunction is No. 20A84) "Supreme Court"	<p>The Trump campaign claims that a state supreme court ruling that extended the mail-in ballot receipt deadline to November 6 violates the Elections/Electors Clause of the U.S. Constitution.</p> <p>The Court previously declined to issue a stay and refused to expedite briefing in the case.</p>	<p style="text-align: center;">5:30 AM 11/20</p> <p>Awaiting action by the Supreme Court on the Trump campaign's motion to intervene and motion to segregate late-arriving ballots and cease counting.</p> <p style="text-align: center;">--</p> <p style="text-align: center;">11/9</p> <p>Oklahoma, on behalf of a number of states, filed an amicus brief in support of cert. States on the brief are: Oklahoma, Indiana, Kansas, Nebraska, Tennessee, and West Virginia.</p>

The Voter Protection Program (VPP) is a national nonpartisan initiative promoting election integrity and ensuring safe, fair, and secure elections. Learn more at voterprotectionprogram.org

<p>Case”</p>		<p>Missouri, on behalf of a number of states, filed an amicus brief in support of cert. States on the brief are: Missouri, Alabama, Arkansas, Florida, Kentucky, Louisiana, Mississippi, South Carolina, South Dakota, and Texas.</p> <p>Ohio submitted an amicus brief in support of cert.</p> <p>The Republican Party of Pennsylvania filed a reply to the state’s updated notice, arguing that the court should issue an injunction notwithstanding the state’s representations that county boards of election are segregating ballots.</p> <p>11/8</p> <p>The state provided updated notice to the Court, confirming that all county boards of election are complying with the Secretary’s segregation guidance.</p> <p>----</p> <p>11/7</p> <p>Responses filed by the state and Luzerne County Board of Elections.</p> <p>--</p> <p>11/6</p> <p>Response to application for injunction filed by the PA Democratic Party.</p> <p>Justice Alito ordered that county boards segregate ballots arriving after Election Day. But his order does not appear to preclude counting.</p> <p>Reply in Support of Motion for Leave to Intervene as Petitioner of Donald J. Trump for President, Inc. submitted.</p> <p>The Republican Party of Pennsylvania moved for an emergency injunction (No. 20A84) from the Supreme Court, asking that “The Court...order [Pennsylvania] county boards of elections, pending certiorari review or further order of this Court, to log, to segregate, and otherwise not to take any action related to mail-in or civilian absentee ballots that arrive after the General</p>
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		<p>Assembly’s Election Day received-by deadline but before the Pennsylvania Supreme Court’s judicially extended deadline.”</p> <p>--</p> <p>11/5</p> <p>The Luzerne County Board filed a brief that takes no position on intervention.</p> <p>The PA Democratic Party filed a brief that does not oppose intervention but simply argues that the court need not decide the motion until it rules on the cert petition.</p> <p>The state filed a response opposing the Trump campaign’s motion.</p> <p>The Republican party consented to the Trump campaign’s intervention.</p> <p>The Supreme Court ordered a response to be filed</p> <p>Trump filed a motion to intervene before the Supreme Court.</p>
<p><i>Bognet v. Boockvar, No. 20-3214 (3d Cir.)</i></p> <p>“Third Circuit Case”</p>	<p>A Pennsylvania congressional candidate and several voters argue that the PA Supreme Court has violated the Elections and Electors Clauses and violated the Equal Protection Clause by extending the ballot receipt deadline and establishing a presumption of timeliness for unpostmarked ballots</p>	<p>5:30 PM 11/20</p> <p>Awaiting possible petition for certiorari or application for a stay at the Supreme Court.</p> <p>--</p> <p>11/13</p> <p>Third Circuit panel (Shwartz, Smith*, Scirica) affirmed the district court’s denial of a preliminary injunction on standing grounds.</p> <p>11/12</p> <p>The state estimates that 9,383 absentee ballots arrived between Nov. 3 and Nov. 6, and that 655 of those ballots lacked postmarks.</p> <p>11/10</p> <p>The Court has ordered the state to provide exact or approximate tallies of the number of ballots that: (1) arrived</p>

		<p>between November 3 and November 6, and (2) the number of those ballots that lacked a legible postmark. The state's report is due by 9am on Thursday, 11/12.</p> <p>11/9 State brief filed at 3pm.</p> <p>Case submitted to panel. --</p> <p>11/6 Plaintiffs filed a brief urging the Circuit to reverse the district court's denial of their preliminary injunction motion. --</p> <p>10/30 Third Circuit set a briefing schedule and ordered briefs to be filed on 11/6 (by the plaintiffs) and 11/9 (by the state).</p>
<p>Donald J. Trump for President v. Boockvar, No. 4:20-cv-2078 (M.D. Pa.)</p>	<p>The Trump campaign claims that Democrat-leaning counties provided cure opportunities to voters that were not available in Republican-leaning counties, and it argues that poll-watchers in those same counties were not given adequate access to monitor the count of absentee ballots. Due to these disparate cure policies and lack of access, the Trump campaign claims that Pennsylvania has effectively created an unfair "two-track" voting system where Election-Day votes were subject to more monitoring and stricter standards than mail-in votes. The campaign claims this violates the Due Process Clause and Equal Protection Clause, and also constitutes a violation of the Elections and Electors Clauses. The campaign asks the court to enjoin the certification of the election and/or excluding from the ballot-count ballots that were not subject to observation and/or were improperly cured.</p>	<p>5:30 PM 11/20 Waiting for decision on Saturday or Sunday.</p> <p>11/20 Trump campaign files motion in support of plaintiffs' motion for leave to file a second amended complaint.</p> <p>Several County Board of Elections, DNC, Common Cause, and NAACP file a briefs in opposition for a TRO or PI.</p> <p>11/19 Plaintiff filed Memorandum of Law supporting its renewed motion for a TRO and PI. Reply brief filed by various county boards and DNC.</p> <p>Second Amended Complaint filed and Jeffrey Cutler moves as an "Plaintiff-Intervenor" to "Declare Donald Trump Victorious for Injunctive Relief Because of Crimes," which include mail fraud, destruction of evidence, "[and] Combine Cases for Judicial Efficiency, Summary Judgment." Plaintiff files motion for TRO and PI.</p>

		<p>Defendant files motion to dismiss amended complaint.</p> <p>--</p> <p>11/18</p> <p>Plaintiffs filed second amended complaint very similar to the original first complaint, to "restore claims which were inadvertently" deleted the last time. This, I believe, requires consent from the defendants or leave of court. The campaign since removed these motions.</p> <p>Judge granted plaintiffs' motion to extend time. The deadline for Plaintiffs to file their Motion for Preliminary Injunction is extended to 5:00 P.M. on 11/19/2020. The deadline for Defendants to file any opposition briefs is extended to 5:00 P.M. on 11/20/2020. The deadline for Plaintiffs to file any reply brief is extended to 12:00 P.M. on 11/21/2020.</p> <p>County boards confirmed that their motions to dismiss and prior reply brief ought to be treated like a MTD. Trump campaign has requested deadline for it to file a motion for PI to be extended to Friday, 11/19 (which is the 20th).</p> <p>11/17</p> <p>NAACP, Common Cause, League of Women Voters and others confirm that "their previously filed briefing should be treated as a motion to dismiss Plaintiffs' Amended Complaint."</p> <p>Oral argument on defendants' motion to dismiss:</p> <ul style="list-style-type: none"> ● Giuliani for Trump campaign on 1) EPC issues between voters in Democratic counties allowed to cure and others, 2) observer issue (now moot). ● State argued plaintiffs lack standing because vote dilution is not a concrete and particularized harm. ● Judge seems skeptical of campaign's ask to "throw out 6.8 million votes." Awaiting decision. <p>Giuliani and Marc Scaringi admitted pro hac vice. AP's motion to intervene to have a reporter attend in-person is denied.</p> <p>Court denied Trump campaign's request for a continuance.</p>
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		<p style="text-align: center;">11/16</p> <p>Multiple reply briefs filed in support of defendants' motion to dismiss the complaint, including from counties and Boockvar's team.</p> <p>Centre and Delaware County Boards of Elections filed motion to dismiss and memorandum in support of State and other parties' motions to dismiss. DNC, intervenor, also moves to dismiss.</p> <p>Boockvar filed a response to plaintiffs' motion to show cause regarding harassment of plaintiffs' counsel by Kirkland associate not on defendants' legal team but who left voicemail for member of plaintiffs' legal team. Defendants replied in support of their motion to show cause, asserting that Kirkland lawyer violates Rules of Professional Conduct.</p> <p>Defendants' counsel filed a letter asking the court to quash plaintiffs' subpoenas to multiple election officials, citing lack of conferral on the matter between parties, failure to allow reasonable time to comply, and plaintiffs failure to serve on each party.</p> <p style="text-align: center;">--</p> <p style="text-align: center;">11/15</p> <p>Trump campaign filed an amended complaint and opposition to a motion to dismiss. The amended complaint abandons the Trump campaign's complaints about poll watcher access.</p> <p style="text-align: center;">The state has filed a motion to dismiss.</p> <p style="text-align: center;">--</p> <p style="text-align: center;">11/13</p> <p>The Trump campaign filed a letter, admitting that its Elections Clause claims would fail in light of the standing decision in <i>Bognet v. Boockvar</i> (3d Cir.).</p> <p style="text-align: center;">--</p> <p style="text-align: center;">11/12</p> <p>Porter Wright has moved to withdraw as counsel.</p>
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		<p>State filed motion to dismiss.</p> <p>The court granted the DNC and ALCU's motions to intervene. --</p> <p>11/11 The DNC and ACLU moved to intervene. --</p> <p>11/10 Judge Brann denied the state's motion to transfer and set the following briefing schedule:</p> <ul style="list-style-type: none">• Plaintiffs motion for injunctive relief will be filed by 5:00 PM Thursday, 11/12• Defendants' motion(s) to dismiss will be filed by 5:00 PM Thursday, 11/12• Plaintiffs' response to any motions to dismiss will be filed by 12:00 PM Sunday, 11/15• Defendants shall file their reply by 12:00 PM Monday, 11/16<ul style="list-style-type: none">• Oral Argument scheduled for 11/17 at 1:30 PM• The Court will hold an evidentiary hearing on Thursday, 11/19 at 10:00 AM <p>Motion to intervene filed by NAACP Pennsylvania State Conference, Common Cause Pennsylvania, League of Women Voters of Pennsylvania, Black Political Empowerment Project, and others.</p> <p>A status conference was held at 3pm.</p> <p>The state moved to transfer the case to the Harrisburg division (it is currently with Judge Brann's chambers in Williamsport). --</p> <p>11/9 Complaint filed.</p> <p>Case assigned to Judge Brann (an Obama appointee)</p>
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<p><i>In Re: 2,349 Ballots in the 2020 General Election, 29 WAP 2020 (PA Supreme Court)</i></p> <p>1162 CD 2020 (PA Commonwealth Court)</p> <p><i>Zicarelli v. Allegheny County Board of Elections, No. 20-011793 (Allegheny County Court of Common Pleas)</i></p> <p>“Zicarelli 2,349 Alleghany”</p>	<p>Zicarelli, 45th Senatorial District candidate, challenges inclusion of 2,349 absentee ballots lacking a date of the signature by the elector on the statutorily required elector declaration on the outside envelope of the ballots.</p>	<p style="text-align: center;">5:30 PM 11/20</p> <p style="text-align: center;">Awaiting PA Supreme Court hearing schedule</p> <p style="text-align: center;">11/20</p> <p style="text-align: center;">Appeal filed in the PA Supreme Court. PA Supreme Court granted appeal on question of 1) whether the Election Code require the Allegheny County Board of Elections to disqualify mail-in ballots submitted by qualified electors who signed their ballot's outer envelopes but did not handwrite a date, where no other fraud or irregularity has been alleged, and the ballot is timely received? And 2) consolidated the matter with In re: Canvass of Absentee and Mail-in Ballots of November 3, 2020 General Election, Appeal of Donald J. Trump for President, Inc., Nos. 31-35 EAP 2020, J-118A-E-2020.</p> <p style="text-align: center;">11/19</p> <p style="text-align: center;">Commonwealth Court rules that absentee ballots where the voter didn't date their declaration are invalid. These ballots weren't counted initially so it doesn't affect the margins.</p> <p style="text-align: center;">11/18</p> <p style="text-align: center;">Commonwealth Court of Pennsylvania granted plaintiff's emergency application and orders segregation of ballots and County Board to stop canvassing or counting of mail-in ballots until further order of the Court.</p> <p style="text-align: center;">PA Republican Party appealed to Supreme Court for extraordinary relief here, citing In Re: Canvass of Absentee and Mail-In Ballots</p>
<p><i>In Re: Allegheny County Provisional Ballots in the 2020 General</i></p>	<p>Zicarelli, 45th Senatorial District candidate, challenges inclusion of some provisional ballots.</p>	<p style="text-align: center;">11:30 PM 11/19</p> <p style="text-align: center;">Court reversed Allegheny Court of Common Pleas' decision to count ballots and remanded for further proceedings in accordance with the accompanying opinion.</p>

<p><i>Election, 1161 CD 2020 (PA Commonwealth Court)</i></p> <p>“Zicarelli Alleghany”</p>		<p>11/19</p> <p>Briefs submitted. Per curiam order that parties shall file briefs on the merits of the appeal by 3 PM.</p>
<p><i>Zicarelli v. Westmoreland County Board of Elections, No. 2020-4152 (Westmoreland County Court of Common Pleas)</i></p> <p>“Zicarelli Westmoreland”</p>	<p>Zicarelli, 45th Senatorial District candidate, challenges inclusion of some provisional ballots.</p>	<p>5:30 PM 11/20</p> <p>11/18 Complaint here.</p>
<p><i>Donald J. Trump for President, Inc. v. Bucks County Board of Elections, No. 2020-0578 (Bucks County Court of Common Pleas)</i></p> <p>“Bucks”</p>	<p>The Trump campaign, Heidelbaugh campaign, and Republican National Committee have filed a petition contesting the Bucks County Board of Elections’s decision to accept 2,251 allegedly defective ballots as votes.</p>	<p>11:30 PM 11/20</p> <p>Awaiting action by the PA Commonwealth Court.</p> <p>--</p> <p>11/20 Plaintiffs filed a notice of appeal.</p> <p>11/19 Court rejects plaintiffs' objections and denies requests for relief.</p> <p>11/17 Marc Elias and team admitted pro hac vice. Petition to intervene by Bucks County Democratic Party, PA House Democratic Committee, and DNC granted.</p> <p>11/12 Court has set a hearing for 11/17.</p> <p>--</p> <p>11/11 Motion to intervene filed.</p>

		<p>--</p> <p>11/10 Petition for review filed.</p>
<p><i>In re: Canvassing Observation, No. 30 EAP 2020 (Pa. Supreme Court)</i></p> <p>Formerly No. 425 EAL 2020 (Pa. Supreme Court)</p> <p>(Poll watcher/The Philadelphia County case)</p>	<p>Trump campaign argues that counting should temporarily stop until observers are given greater access to watch the ballot count.</p> <p>The Trump campaign claims to want “meaningful” access to observe the ballot count.</p> <p>Contemporaneous coverage of lower court proceedings here: https://twitter.com/broadandmarket/status/1323794598951587841?s=21</p>	<p>9:30 AM 11/20 Anticipating appeal.</p> <p>--</p> <p>11/17 PA Supreme Court ruled that PA acted within state law in its handling of election observers.</p> <p>Application for Leave to File Post-Submission Communication by Philadelphia County Board of Elections.</p> <p>11/16 Answer to petition to intervene filed by PA Democratic Party. Response in Opposition to Petition to Intervene filed by Philadelphia County Board of Elections.</p> <p>11/13 Briefs filed.</p> <p>--</p> <p>11/11 Briefs filed.</p> <p>--</p> <p>11/9 The PA Supreme Court granted permission for the Philadelphia County Board of Elections to appeal. A brief from the Board of Elections is due November 11 (Wednesday), and briefs from the Trump campaign and PA Democratic Party are due November 13 (Friday). The briefs will address the following questions:</p> <p>(1) Whether, as a matter of statutory construction pursuant to Pennsylvania law, the Commonwealth Court erred in reversing the trial court, which concluded that Petitioner City of Philadelphia Board of Elections'</p>

		<p>regulations regarding observer and representative access complied with applicable Election Code requirements;</p> <p>(2) Whether the issue raised in Petitioner's petition for allowance of appeal is moot;</p> <p>(3) If the issue raised in Petitioner's petition for allowance of appeal is moot, does there remain a substantial question that is capable of repetition yet likely to evade review, and, thus, fall within an exception to the mootness doctrine.</p> <p>--</p> <p>11/5</p> <p>The city petitioned the Pennsylvania Supreme Court to allow an appeal. Counting temporarily stopped and then restarted while officials made plans to accommodate the Commonwealth Court's order.</p> <p>The Pennsylvania Democratic Party filed a letter supporting the Board's appeal.</p> <p>The Trump campaign filed an answer.</p> <p>Though not on the docket, reporters claimed there was a hearing at 2pm 11/5. https://twitter.com/BroadAndMarket/status/1324426044477218816?s=20</p> <p>Trump campaign filed a reply.</p> <p>The Commonwealth Court reversed the trial court, ordering that observers be allowed to stand as close as 6 feet away from canvassers. The Commonwealth Court found that the representative was deprived of the ability to observe "in any meaningful way." The court did <u>not</u> order the count to stop.</p> <p>The parties filed briefs at 8am.</p> <p>--</p> <p>11/4</p>
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		<p>Trump campaign appealed a ruling by Election Day judge that denied greater access.</p> <p>A status conference was held.</p>
<p>Donald J. Trump for President Inc. v. Boockvar, No. 602 MD 2020 (Commonwealth Court of Pennsylvania)</p>	<p>The Trump campaign claims that Secretary Boockvar issued guidance that impermissibly extends the statutory period for absentee and mail-in voters to provide proof of identification.</p> <p>In their complaint, the Trump campaign explicitly accepts that ballots can continue to be counted after Election Day.</p>	<p>11:30 PM 11/19 Awaiting possible appeal by the state.</p> <p>-- 11/12 Commonwealth Court enjoined state from counting ballots for which proof of ID is provided after Nov. 9. The court found that the Secretary lacked statutory authority to extend the ID deadline. DNC admitted pro hac vice for purposes of an appeal.</p> <p>11/10 Briefs were filed by the parties.</p> <p>-- 11/6 The court ordered briefs to be filed by 12pm on Tuesday, 11/10.</p> <p>The DNC moved to intervene</p> <p>The Commonwealth Court entered an interim order that county boards of elections segregate ballots for which ID is received and verified on November 10, 11, and 12 and not count those ballots until further order of the court.</p> <p>-- 11/5 A status conference was held at 10:00am.</p> <p>A status conference was held at 12:00pm.</p> <p>11/4 Petition for review filed.</p>
<p>Hamm v. Boockvar, No.</p>	<p>Plaintiffs (including a member of the PA House) challenge guidance recently issued by Secretary Boockvar, arguing that</p>	<p>11:30 PM 11/19 Awaiting further order of the court.</p>

<p>600 MD 2020 (Commonwealth Ct. of Pa.)</p> <p>(“Harrisburg” case)</p>	<p>her instruction that county boards of election communicate with voters whose ballots are found to be deficient during the pre-canvass process violates state law.</p> <p>In the plaintiffs’ view, this process, as well as any process allowing voters to “cure” their vote through casting a provisional ballot, violates Pennsylvania law. They ask the court to enjoin the Secretary from allowing invalidly “cured” ballots to be counted in the vote totals.</p>	<p>--</p> <p>11/6</p> <p>Commonwealth Court granted in part the petitioners’ request for a preliminary injunction: County boards of elections must segregate provisional ballots cast on election day where the electors’ absentee ballot was received previously. The case is stayed pending further order of the court.</p> <p>A hearing on the plaintiffs’ preliminary injunction motion was scheduled for Fri 11/6 at 9:30am, but did not appear to have occurred.</p> <p>Petitioners’ brief was filed; response from state was filed 8am</p> <p>Intervenor-DNC filed response in opposition to PI</p> <p>11/5</p> <p>Another status conference was scheduled for 10am.</p> <p>Petitioners filed amended petitions and the DNC moved to intervene.</p> <p>11/4</p> <p>Status conference was scheduled for 1:30.</p> <p>11/3</p> <p>Case filed.</p>
<p><i>In re: Canvass of Absentee and Mail-In Ballots of November 3 General Election, 35-31 EAP 2020 (PA Sup. Ct.)</i></p>	<p>The Trump campaign appeals the Philadelphia County Board of Elections’s decision to count 1) 1,211 ballots that were initially rejected for lacking any information on the ballot declaration other than a signature, 2) 1,259 ballots that were initially rejected for lacking a date on the ballot declaration; 3) 553 ballots that were initially rejected for lacking the printed name of the voter on the ballot declaration; 4) 860</p>	<p>5:30 PM 11/20</p> <p>Awaiting decision.</p> <p>11/19</p> <p>Plaintiff-appellant files brief asking for asking for reversal of the trial court’s five orders and remand of the appeals “with</p>

<p>No. 1140-36 CD 2020 (Commonwealth Court)</p> <p>No. 201100874-78 (Phila. Cty. Ct. of Common Pleas)</p> <p>(Category 3-7 Ballots)</p> <p>[Consolidated, see "Legacy Document" for separation]</p>	<p>ballots that were initially rejected for lacking a street address on the ballot declaration; and 5) 4,466 ballots that were initially rejected for lacking a printed name and street address on the ballot declaration that were all accepted on "secondary review."</p>	<p>instructions that the Campaign's appeals to the Philadelphia Board of Elections' decisions be sustained and that the 8,329 non-confirming absentee and mail-in ballots not be counted as void."</p> <p>11/18 DNC intervened.</p> <p>Pennsylvania Supreme Court granted the City of Philadelphia Board of Elections' application that that court exercise extraordinary jurisdiction over the cases. Awaiting PA Supreme Court hearing schedule. Briefings filed; trying to get a copy.</p> <p>--</p> <p>11/17 Philadelphia Board of Elections filed a motion to transfer the cases to the Pennsylvania Supreme Court. It also filed an application for that court to exercise extraordinary jurisdiction over the cases.</p> <p>Pro hac vice applications from Perkins and DNC attorneys.</p> <p>11/16 Order filed. Argument scheduled.</p> <p>11/14 Notice of appeal filed.</p> <p>--</p> <p>11/13 Court denied the Trump campaign's petition.</p> <p>Hearing held.</p> <p>Philadelphia County response filed.</p> <p>11/11 Complaint filed.</p>
<p>ARIZONA</p>		

<p>Donald J. Trump for President Inc. v. Hobbs, No. CV2020-014248 (Maricopa County Superior Court)</p>	<p>The Trump campaign, RNC, and Arizona Republican Party claim that numerous voters were convinced to override “overvote” notifications on an electronic tabulation system. These alleged “overvotes” stem from the use of sharpies to complete the voters’ ballot. The Trump campaign asks that any overvotes be subjected to a hand recount to determine the intent of the voter.</p>	<p style="text-align: center;">11:40pm 11/19 No further action anticipated. -- 11/15 Case dismissed.</p> <p style="text-align: center;">11/13 The Trump campaign has stated in a filing that the case is moot as to the presidential race (though may continue to be relevant to certain down-ballot races.</p> <p style="text-align: center;">11/12 Judge granted motion in limine. Trial held. At the hearing, the plaintiffs gave up most of their case. Judge is holding matters under advisement.</p> <p style="text-align: center;">11/11 Judge denied motion to seal. Motion in limine filed. --</p> <p style="text-align: center;">11/10 The parties have filed briefs relating to the Trump campaign’s motion to seal certain evidence relating to their voter fraud/irregularity claims.</p> <p style="text-align: center;">11/9 Hearing held. Judge Kiley denied motion to intervene by the Public Interest Law Foundation and scheduled an evidentiary hearing and oral argument for 9:30am on Thursday, 11/12. Attorneys for Maricopa County and the Secretary of State told the judge that only 180 ballots cast on Election Day contained overvotes in the Presidential race.</p> <p style="text-align: center;">The plaintiffs from Aguilera v. Fontes (below) filed a motion to intervene, re-raising their “sharpigate” claims. https://lawandcrime.com/2020-election/conservative-lawyers-quietly-dropped-lawsuit-that-pushed-debunked-sharpigate-conspiracy-theory/</p> <p style="text-align: center;">11/7</p>
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		Lawsuit filed
<p>Arizona Republican Party v. Fontes, No. CV2020-014553 (Maricopa County Superior Court)</p>	<p>This suit pertains to a mandatory hand-count of a random sampling of ballots. The AZ Republican Party asks the court to declare that the mandatory hand-count sampling be of 2% of "precincts" rather than 2% of "vote centers" (the Secretary of State's guidance uses the language "vote centers").</p>	<p>1:10pm 11/19 No further action anticipated.</p> <p>11/19 Case dismissed and plaintiff's application for a preliminary injunction, to enjoin Maricopa County Board of Supervisors from certifying the election results and issuing the official canvass is denied. Motion to amend the complaint is denied as futile. Order denied.</p> <p>11/18 Hearing at 3:15. Plaintiffs responded regarding error by defendants and ask for comparison of the number of votes cast as indicated on the machine or tabulator with the number of votes cast as indicated on the poll list.</p> <p>11/17 An application for preliminary injunction has been filed to enjoin certification of the vote by Maricopa County; and plaintiffs have filed a motion for leave to file an amended complaint.</p> <p>--</p> <p>11/16 Motions to dismiss have been filed by Katie Hobbs and the Arizona Democratic Party. Plaintiffs seeking to delay canvass. Judge giving parties chance to brief motions to dismiss; hearing set for Wednesday.</p> <p>11/13 Arizona Democratic Party moved to intervene.</p> <p>Hearing scheduled for 11/16 at 10:30am.</p> <p>11/12 Complaint filed.</p>
<p>Aguilera v. Fontes, No. CV2020-014562</p>	<p>Two voters claim that issues with tabulation machines prevented their votes from being counted. They seek to be able to recast their votes before the Nov. 30 certification</p>	<p>9:00 pm 11/20 Dismissed. Opinion to follow.</p>

<p>(Maricopa County Superior Court)</p>	<p>deadline.</p>	<p>11/18 Hearing scheduled for Friday. -- 11/17 Sue Becker of PILF admitted pro hac vice.</p> <p>11/16 Court granted ADP's motion to intervene. Court ordered ADP to file its MTD by midnight at 11/16 and for plaintiffs to file their response to Maricopa County's MTD by midnight at 11/17 and their response to ADP's motion to dismiss by midnight at 11/18.</p> <p>Defendants filed motion to dismiss. Order to show cause issued.</p> <p>11/15 Arizona Democratic Party moved to intervene. Plaintiffs filed opposition.</p> <p>11/12 Complaint filed.</p>
<p>GEORGIA</p>		
<p><i>Wood v. Raffensperger</i>, No. 20-cv-04651-SDG (N.D. Ga.)</p>	<p>A plaintiff has sued, arguing that the Secretary of State's agreement to a litigation settlement that established a new cure procedure and established new rules for signature verification violates the Elections/Electors Clause and the Equal Protection Clause. The plaintiff seeks an order enjoining the certification of the Georgia presidential election or alternatively excluding from the certification any votes cast through absentee ballots.</p>	<p>11:30am 11/19 Appeal anticipated.</p> <p>11/20 Plaintiffs file an emergency motion for preservation of the evidence and inspection of electronic voting equipment and production of original ballots. Judge denies.</p> <p>---</p> <p>11/19 Plaintiffs submit an exhibit for hearing with vote technicians alleging fraudulent ballots being counted. Raffensperger and state board of elections members submitted a response in opposition to plaintiff's motion for a preliminary injunction. Democratic Party of Georgia, DSCC, and DCC filed a response in opposition to plaintiff's emergency motion for injunctive relief as proposed intervenors.</p>

		<p>11/18 Court hearing at 3 PM. Information below: The dial in instructions are as follows: https://ganduscourts.zoomgov.com/j/1609807754; Meeting ID: 160 980 7754; Passcode: 841353.</p> <p>11/17 Emergency motion for TRO.</p> <p>11/16 Case assigned to Judge Steven Grimberg (DJT appointee). Complaint amended.</p> <p>11/13 Complaint filed.</p>
MICHIGAN		
<p>Johnson v. Benson, No. 20-cv-01098 (W.D. Mich.)</p> <p>“Thomas More” Case</p>	<p>Two Michigan voters seek to enjoin election’s final certification until a special master completes an independent audit.</p>	<p>8:30pm 11/18 No further action expected. -- 11/18 Plaintiffs voluntarily dismiss.</p> <p>DNC, MI Democratic Party, and MI NAACP moved to intervene.</p> <p>11/17 Case assigned to Judge Neff as in below Benson case. Court issued summons.</p> <p>Clerk of Court filed that the case is related (out of the same transaction/occurrence and involves one of the same parties) as Trump v. Benson (see below).</p> <p>11/15 Complaint filed.</p>
<p>Donald J. Trump</p>	<p>The Trump campaign and a number of Michigan voters allege</p>	<p>10:30am 11/19</p>

<p><i>for President, Inc. v. Benson</i>, No. 20-cv-1083 (W.D. Mich.)</p> <p>“Benson case”</p>	<p>that Wayne County failed to allow challengers adequate access to observe the processing of ballots and that some election officials back-dated ballots that were not actually received before the close of polls on election day. The plaintiffs allege that these actions violate the Equal Protection Clause (by allowing the Wayne County general election to be conducted in a different manner than that conducted in other areas of the state), the Elections and Electors Clauses (by deviating from the Michigan Election Code), and Michigan state law. They seek to enjoin the certification of Michigan’s general election and to prevent the Wayne County and state canvassing boards from certifying any vote tally that includes ballots that were processed without a challenging having a meaningful opportunity to observe the ballots’ processing. They also seek to exclude or hand count any ballots that were tabulated with deficient machines.</p>	<p>No further action, but continued challenges anticipated.</p> <p>--</p> <p>11/19</p> <p>Voluntary dismissal by plaintiffs, citing that the “Wayne County board of canvassers met and declined to certify the results of the presidential election.”</p> <p>11/18</p> <p>Benson and Michigan Board of State Canvassers filed concurrence in motion to dismiss as did the DNC, NAACP, and City of Detroit.</p> <p>11/17</p> <p>Motion to dismiss filed by DNC and MI Democratic Party. Benson served. Judge orders acceptance of MTD by DNC and MI Democratic party, concurrences in MTD to be filed by 12 today, plaintiffs responses to be filed by 5 PM on Thursday, and responses to plaintiffs’ responses to be filed by 5 PM on Friday.</p> <p>Judge granted NAACP (MI), DNC and MI Democratic Party, and City of Detroit’s motions to intervene.</p> <p>11/16</p> <p>Court orders that responses to motions to intervene must be filed by 5 PM. NAACP (MI), MI Democratic Party, and City of Detroit move to intervene. Plaintiffs do not oppose.</p> <p>11/14</p> <p>Michigan NAACP has moved to intervene.</p> <p>Democratic Party has moved to intervene.</p> <p>--</p> <p>11/11</p> <p>Complaint filed.</p> <p>--</p> <p>11/10</p> <p>Trump campaign announced lawsuit and claims to have filed it. Complaint posted to campaign website.</p>
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<p>Costantino v. City of Detroit, No. 20-014780-AW (Wayne County Circuit Court)</p>	<p>Plaintiffs have sued to enjoin the certification of the election pending a full investigation and court hearing, and ask for an independent audit of the election results.</p>	<p style="text-align: center;">5:30PM 11/20 Awaiting MI Supreme Court action. -- 11/17</p> <p>Plaintiffs have appealed the Michigan Court of Appeals' rejection of their appeal to the Michigan Supreme Court, filing a motion for immediate consideration. City of Detroit filed a response. The Michigan Democratic Party opposes this.</p> <p style="text-align: center;">11/16</p> <p>Plaintiffs move for peremptory reversal, arguing that an order for injunctive relief and audit is necessary to prevent defendants from certifying the election results in Wayne County prior to a full audit of the election being performed. Defendants file response to emergency motion and opposition to motion for immediate consideration. Filings here: https://www.democracymotion.com/cases/michigan-detroit-election-challenge/</p> <p style="text-align: center;">11/13</p> <p>Judge Kenny denied all relief sought by plaintiffs, finding that the plaintiffs were "unable to meet their burden."</p> <p style="text-align: center;">11/11</p> <p>A hearing was held at 3pm. Coverage here: https://lawandcrime.com/2020-election/detroit-lawyer-tells-judge-that-pro-trump-efforts-to-void-election-are-like-unfunny-version-of-groundhog-day/</p> <p style="text-align: center;">Brief filed by the city.</p> <p style="text-align: center;">11/10</p> <p style="text-align: center;">An order to show case was issued. --</p> <p style="text-align: center;">11/8</p> <p style="text-align: center;">Complaint filed.</p>
<p>Davis v. Wayne County Board of</p>	<p>A voter has sued, seeking (1) a writ of mandamus to force the Wayne County Board of Canvassers to count and certify <i>all</i></p>	<p style="text-align: center;">11:30AM at 11/19 Awaiting possible appeal related to Wayne certification denial.</p>

<p>Canvassers, No. 20-014601-AW (Wayne County Circuit Court)</p>	<p>votes cast in the November 3, 2020 general election no later than November 17, and (2) a declaration that no member of the Board may serve as a challenger on behalf of any party during the canvass. The complaint expresses the plaintiff's fear that two Republican members of the Board will delay and interfere with the canvass</p>	<p>-- 11/16 Order filed.</p> <p>11/12 Written order denying plaintiff's petition.</p> <p>11/9 Hearing held, at which the judge orally denied the plaintiffs' motion. A written order will follow.</p> <p>11/6 Response filed by the County Board of Canvassers.</p> <p>--</p> <p>11/5 Complaint filed.</p> <p>Order to show cause issued.</p>
<p>Donald J. Trump for President, Inc. v. Benson, No. 20-225-MZ (Mich. Ct. Cls.); No. 355378 (Mich. Ct. App.)</p>	<p>Trump campaign has filed a lawsuit in the Michigan Court of Claims to halt the counting of mail-in ballots until they are granted "meaningful access" to observe the opening and counting process.</p> <p>This case resembles one brought in Pennsylvania and appears to be part of a larger effort to stop the count in states where mail-in ballots were cast heavily in favor of Trump.</p>	<p>11:30PM 11/19 Awaiting court order setting a briefing schedule.</p> <p>--</p> <p>11/18 City of Detroit moved to intervene.</p> <p>11/9 The Trump campaign filed a notice of appeal with the Michigan Court of Appeals. That appeal was bounced for being procedurally improper, but the campaign later noticed a proper appeal.</p> <p>11/6 On 11/6, the court issued a written order memorializing its reasons. The court found that none of the relief requested by the plaintiffs could be ordered as to the Secretary of State, that the record did not support their requests, and that the case was moot given that vote-counting is complete. The court also</p>

		<p>denied as moot the DNC's motion to intervene.</p> <p>11/5 The court denied relief following a hearing --</p> <p>11/4 Complaint filed along with motion for emergency declaratory judgment.</p> <p>Case was assigned to Judge Cynthia Dane Stephens.</p> <p>The DNC has moved to intervene.</p>
NEVADA		
<i>Rodimer v. Gloria, A-20-825130 (Nev. Dist. Ct. Nov. 19, 2020)</i>	Another congressional candidate for NV-3 (represented by the same attorney) seeks a new election based on the registrar of voters' failure to follow "multiple required statutory procedures for conducting an election," specifically "flooding" the county with "untrackable" mail in ballots using Agilis signature matching machine.	<p>11/19 Complaint filed.</p>
<i>Marchant v. Gloria, A-20-824884-W (Nev. Dist. Ct. Nov 16, 2020)</i>	Congressional candidate for NV-6 seeks a new election based on the registrar of voters' failure to follow "multiple required statutory procedures for conducting an election," specifically "flooding" the county with "untrackable" mail in ballots using Agilis signature matching machine.	<p style="text-align: center;">5:00 pm 11/20 No further action anticipated.</p> <p style="text-align: center;">11/20 Case dismissed.</p> <p style="text-align: center;">11/19 Hearing scheduled at 10 AM on 11/20.</p> <p style="text-align: center;">11/18 DNC and Nevada State Democratic Party move to intervene as defendants.</p> <p style="text-align: center;">11/17 Complaint filed, which includes petition for writ of mandamus.</p>
<i>Election Integrity</i>	Seeking emergency permanent injunction to prevent	5:30 pm 11/20

<p>Process v. Nevada (D. Ct. Clark County)</p>	<p>certification of the results of the presidential election because AB4 denied equal protection among NV voters.</p>	<p>11/17 Complaint filed.</p>
<p>Law v. Whitmer, TBD, (First Judicial District Court, Carson City)</p>	<p>Vote dilution (inclusion of illegal provisional and mail-in votes), inadequate observation opportunities, pro-Biden state-funded Nevada Native Voting Drive</p>	<p>5:30 pm 11/20 11/17 Complaint filed.</p>
<p>Stokke v. Cegavske, No. 20cv2046 (D. Nev.)</p>	<p>In a six-page complaint, Republican plaintiffs allege violations of the Elections Clause and Equal Protection Clause based on (1) Clark County’s use of certain signature-verification systems; (2) Clark County’s limitations on poll-watcher access to observe the ballot counting process; and (3) allowing around 3,000 invalid ballots to be cast.</p>	<p>5:30 pm 11/20 No further action is expected. -- 11/9 Abha Khanna and John Devaney of Perkins admitted pro hac vice. 11/6 Case was assigned to Judge Andrew P. Gordon (Obama appointee) in the morning. The DNC/Nevada Dem Party moved to intervene. Judge Gordon granted the motion to expedite on 11/6. Responses by the State and the Democrats were filed at 3pm. A hearing will be held at 5pm. At a hearing, Judge Gordon granted the Democrats’s motion to intervene and denied the plaintiffs’ motion for an injunction. -- 11/5 At 11:30am ET, Republican operatives and officials announced a lawsuit seeking to stop the counting of “improper” ballots cast by voters from outside Nevada. The suit is expected to be filed</p>

		<p>in federal district court.</p> <p>The complaint was filed around 10:00pm. A TRO motion was also filed, requesting that a hearing be scheduled for no later than 5pm on 11/6.</p>
WISCONSIN		
<p><i>Langenhorst v. Pecore</i>, No. 20-cv-1701 (E.D. Wis.)</p> <p>(Bopp of Wisconsin)</p>	<p>Voters in Wisconsin have sued to exclude votes cast in Menominee County, Milwaukee County, and Dane County from the statewide certified results in the presidential election. They allege that the inclusion of votes from these counties would unconstitutionally dilute the value of their votes.</p>	<p>11:06 am 11/16 No further action anticipated. -- 11/16 Plaintiffs have voluntarily dismissed the case.</p> <p>11/14 Wisconsin NAACP has moved to intervene</p> <p>11/13 Democratic Party has moved to intervene.</p> <p>11/12 Amended complaint filed.</p>