

S.C. 20477 : STATE OF CONNECTICUT
MARY FAY, ET AL : SUPREME COURT
V. : JULY 17, 2020
FREEDOM OF INFORMATION :
COMMISSION, ET AL. :

APPLICATION TO APPEAR AS *AMICUS CURIAE*

Pursuant to Practice Book §§ 66-1, 66-2, and 67-7 the Public Interest Legal Foundation (“PILF”) respectfully requests permission to appear in an *amicus curiae* capacity in this matter. PILF requests that, should this application be granted, the Court accept the brief filed simultaneously with this motion, which met all briefing deadlines ordered on all the parties to this case. PILF’s brief supports Plaintiffs’ position.

I. BRIEF HISTORY OF THE CASE.

On July 1, 2020, Plaintiffs filed the instant matter pursuant to General Statutes, 9-323, 52-29, and 52-471 seeking declaratory and injunctive relief seeking to halt the Secretary of the State’s “no-excuse” absentee ballot plan, as indicated in the Complaint and Stipulation of Facts.

On July 6, 2020, Defendants filed a Motion to Dismiss, which was opposed by Plaintiffs on July 13, 2020.

On July 6, 2020, The Connecticut Democratic Party filed a Motion to Intervene, which was opposed by Plaintiffs the very next day. On July 8, 2020, the Court denied the Connecticut Democratic Party’s Motion to Intervene but invited the same to file a brief as *amicus curiae* no later than noon on July 17, 2020.

A hearing on all outstanding matters is scheduled for July 22, 2020.

II. SPECIFIC FACTS RELIED UPON.

The Court's decision will have a great impact on the manner of the upcoming election and will stand as precedent as to how the state's elections are conducted in general.

Reference is also made to the Section IV, below.

III. LEGAL GROUNDS RELIED UPON.

The Appellee relies upon Practice Book §§ 66-1, 66-2, and 67-7.

IV. NATURE OF AMICUS INTEREST AND REASONS TO ALLOW PILF TO APPEAR AS *AMICUS CURIAE*

Founded in 2012, PILF is a 501(c)(3) public interest organization that exists to assist states and others to aid in the cause of election integrity in American elections. Drawing on numerous experts in the field, the Foundation seeks to protect the right to vote and preserve the Constitutional framework of American elections.

Whether the Court grants or denies Plaintiffs' Petition, the upcoming elections process will have widespread effects on how elections are conducted in Connecticut. The Court's decision in this matter will likely stand as precedent for many years to come regarding how elections in Connecticut are conducted. In line with its mission, PILF seeks to assist the State of Connecticut, by and through its *amicus* brief, by supporting the integrity of Connecticut's elections.

Since the Court has already invited the Connecticut Democratic Party to brief the Court as *amicus curiae*, and is supporting Defendants, it serves the interests of equity and justice that the Court receive an *amicus curiae* brief in support of Plaintiffs.

PILF is not requesting oral argument.

Respectfully Submitted,
THE MOVANT
THE PUBLIC INTEREST LEGAL FOUNDATION

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CERTIFICATION

Undersigned counsel certifies that a copy of the foregoing was served on July 17, 2020, in accordance with Practice Book §§ 66-1 and 62-7 as follows:

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Undersigned counsel also certifies that this document has been redacted or does not contain any names or other personal identifying information that is prohibited from disclosure by rule, statute, court order or case law. Undersigned counsel also certifies this motion complies with all the provisions of Practice Book § 66-3, as well as all other applicable rules of appellate procedure.

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