

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LEAGUE OF WOMEN VOTERS OF THE
UNITED STATES, LEAGUE OF
WOMEN VOTERS OF ALABAMA, LEAGUE
OF WOMEN VOTERS OF GEORGIA,
LEAGUE OF WOMEN VOTERS OF KANSAS,
GEORGIA STATE CONFERENCE OF THE
NAACP, GEORGIA COALITION FOR THE
PEOPLE’S AGENDA, MARVIN BROWN, JOANN
BROWN, and PROJECT VOTE

Case No. 16-cv-236 (RJL)

Plaintiffs,

vs.

BRIAN D. NEWBY, in his capacity as the Executive
Director of The United States Election Assistance
Commission; and

THE UNITED STATES ELECTION ASSISTANCE
COMMISSION

Defendants.

**MOTION FOR TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 65 and LCvR 65.1, Plaintiffs in the above-captioned matter hereby move the Court to issue a Temporary Restraining Order and Preliminary Injunction enjoining Defendants Brian Newby and the Election Assistance Commission from enforcing Mr. Newby’s decision granting state requests made by Alabama, Georgia, and Kansas to amend the national uniform mail-in voter registration form (the “Federal Form”), prescribed by the National Voter Registration Act of 1993, 52 U.S.C. § 20501 *et seq.*, to require documentary proof of

citizenship with voter registration applications submitted in those states using the Federal Form, and to take all actions necessary to restore the status quo ante pending a determination on the merits.

In support of this motion, Plaintiffs rely upon the attached memorandum of points and authorities. A proposed order is attached.

ORAL ARGUMENT REQUESTED.

February 17, 2016

Respectfully submitted,

By: /s/ Amelia J. Schmidt

Amelia J. Schmidt
D.C. Bar No. 1012380
STROOCK & STROOCK & LAVAN
LLP
1875 K Street NW
Washington, DC 20006
(202) 739-2800
aschmidt@stroock.com

- and -

Michael C. Keats*
Joel T. Dodge*
STROOCK & STROOCK & LAVAN
LLP
180 Maiden Lane
New York, New York 10038
(212) 806-5400
mkeats@stroock.com

Wendy R. Weiser*
Jonathan Brater*
Tomas Lopez*
Robert Ferguson*
BRENNAN CENTER FOR JUSTICE
161 Avenue of the Americas, 12th Floor
New York, New York 10013
(646) 292-8310
wendy.weiser@nyu.edu

Susan M. Davies
D.C Bar No. 1015133
D.D.C. Atty. No. 54867
Jonathan D. Janow
D.C. Bar No. 1002399
D.D.C. Atty. No. D00333
KIRKLAND & ELLIS LLP
655 Fifteenth Street, NW, Suite 1200
Washington, DC 20005
(202) 879-5000
susan.davies@kirkland.com

*Attorneys for Plaintiffs the League of
Women Voters of the United States, the
League of Women Voters of Kansas, the
League of Women Voters of Alabama, and
the League of Women Voters of Georgia*

Dale E. Ho
D.D.C. Bar No. NY0142
Orion Danjuma*
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2500
dale.ho@aclu.org

Stephen Douglas Bonney*
ACLU FOUNDATION OF KANSAS
6701 W. 64th Street, Ste. 210
Overland Park, KS 66202
(913) 490-4102
dbonney@aclukansas.org

Jon M. Greenbaum
D.C. Bar No. 489887
Ezra D. Rosenberg
D.C. Bar No. 360927
LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW
1401 New York Avenue, NW
Suite 400
Washington, DC 20005
(202) 662-8600

jgreenbaum@lawyerscommittee.org

*Attorneys for Plaintiffs Marvin Brown,
JoAnn Brown, the Georgia State
Conference of the NAACP, and Georgia
Coalition for the People's Agenda*

Linda Stein

D.C. Bar No. 376217

Errol R. Patterson

D.C. Bar No. 379715

Jason Abel

D.C. Bar No. 490382

STEPTOE & JOHNSON LLP

1330 Connecticut Avenue, NW

Washington, DC 20036-1795

(202) 429-3000

lstein@steptoe.com

*Attorneys for Plaintiffs the Georgia State
Conference of the NAACP, and Georgia
Coalition for the People's Agenda*

John A. Freedman

D.C. Bar. No. 453075

ARNOLD & PORTER LLP

601 Massachusetts Ave., N.W.

Washington, DC 20001

(202) 942-5000

John.Freedman@aporter.com

Michelle Kanter Cohen

D.C. Bar No. 989164

PROJECT VOTE

1420 K Street, 7th Floor

Washington, DC 20005

(202) 546-4173

mkantercohen@projectvote.org

Attorneys for Plaintiff Project Vote

**Pro hac vice motion pending*