

VIRGINIA
IN THE CIRCUIT COURT OF RICHMOND CITY

The Republican Party of Virginia,

Plaintiff,

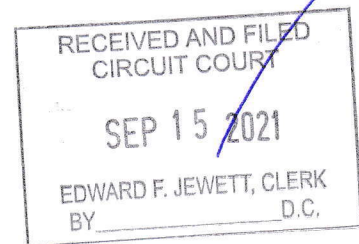
v.

Christopher E. Piper, in his official capacity as the Commissioner of the Department of Elections; the Department of Elections; the Virginia State Board of Elections, Robert H. Brink, in his official capacity as the Chairman and member of the Virginia State Board of Elections, John O'Bannon, in his official capacity as Vice Chair and member of the Virginia State Board of Elections, Jamilah D. LeCruise, in her official capacity as Secretary and member of the Virginia State Board of Elections, Donald W. Merricks, in his official capacity as member of the Virginia State Board of Elections, and Angela Chiang, in her official capacity as member of the Virginia State Board of Elections,

Defendants.

**MOTION FOR LEAVE TO FILE
AMICUS BRIEF IN SUPPORT OF
NEITHER PARTY**

Case No. CL21003848-00



The Public Interest Legal Foundation (“Foundation”), by and through undersigned counsel, respectfully moves for leave of court to file an *amicus curiae* brief in the above captioned case. The proposed brief is attached to this motion. In support of this motion, the Foundation states the following:

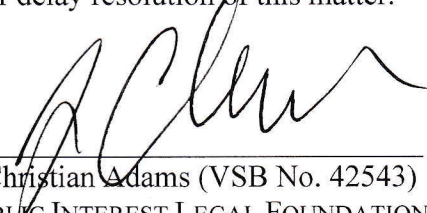
1. The Foundation is a non-partisan, 501(c)(3) public-interest organization that is dedicated entirely to promoting the integrity of elections nationwide through research, education, remedial programs, and litigation.
2. The Foundation takes no position on the merits of the plaintiff’s cause or the policies underlying Virginia’s ballot access rules implicated here.

3. This matter presents issues germane to the Foundation's mission—namely, election integrity, the rule of law, and the equal and just execution of election contest rules. The Foundation thus has a serious interest in the subject of this action.

4. The information and authorities presented in the Foundation's brief will very likely not be presented by the existing parties or intervenor(s). The Foundation's brief will therefore aid the Court's resolution of this matter.

5. The Foundation has served as amicus in other cases involving Virginia election laws. *See Lee vs. State Board of Elections*, Case No-3:15CV357-HEH (E.D.Va. 2015), Docket # 61-1.

6. Mindful of the Court's limited judicial resources, the Foundation does not seek to intervene as a party or receive any oral argument time. Permitting the Foundation to file the attached brief will thus not prejudice any party or delay resolution of this matter.

By 

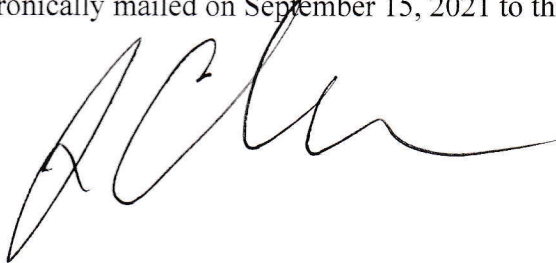
J. Christian Adams (VSB No. 42543)
PUBLIC INTEREST LEGAL FOUNDATION
1729 King Street, 3rd Floor
Alexandria, VA 22314
703.963.8611
adams@publicinterestlegal.org
COUNSEL FOR *AMICUS CURIAE*
PUBLIC INTEREST LEGAL FOUNDATION

CERTIFICATE OF SERVICE

I certify that the foregoing was electronically mailed on September 15, 2021 to the

following:

Christopher M. Marston (VSB No. 65703)
General Counsel
Republican Party of Virginia
115 E Grace St
Richmond VA 23219
chris@2652group.com



Jeffrey Breit, VA Bar No. 18876
Breit Cantor
Towne Pavilion Center II
600 22nd Street, Suite 402
Virginia Beach, VA 23451
jeffrey@breitcantor.com

Aria Branch, VA Bar No. 83682
PERKINS COIE LLP
700 Thirteenth Street, N.W., Suite 800
Washington, D.C. 20005-3960
ABranch@perkinscoie.com

Heather Hays Lockerman (VSB No. 65535)
Senior Assistant Attorney General
Office of the Attorney General of Virginia
202 North Ninth Street
Richmond, Virginia 23219
804-517-6147 (telephone)
hlockerman@oag.state.va.us