

PETITION OF WOMEN AGAINST
PRIVATE POLICE FOR JUDICIAL
REVIEW OF THE DECISION OF THE
MARYLAND STATE BOARD OF
ELECTIONS

* IN THE CIRCUIT COURT FOR
* ANNE ARUNDEL COUNTY

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* CIVIL ACTION NO: C-02-CV-19-001327

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WOMEN AGAINST PRIVATE POLICE, *et al.*,

Plaintiffs,

v.

MARYLAND STATE BOARD OF
ELECTIONS, *et al.*,

Defendants.

PLAINTIFFS’ VERIFIED MOTION FOR PRELIMINARY INJUNCTION

1. Plaintiffs, through their undersigned counsel, hereby seek a preliminary injunction requiring the Defendants, 1) pursuant to Md. Code, Elec. L. § 6-209(a)(2), and Md. Decl. Rts. Art. 19, to accept first- and second-tier petition signatures from the Plaintiffs for an additional nine days, through June 9, 2019, and July 9, 2019, respectively; and 2) pursuant to Md. Code, Elec. L. § 6-206(b)(2), to defer a final determination of sufficiency of the petition pending validation, verification and counting of signatures, and the final judgment in this action, and to proceed with validation, verification, and counting of signatures without reference to the challenged Advance Determinations in this case.

2. Plaintiffs are likely to succeed on the merits. The balance of harms to the parties weighs decidedly in their favor. They have already been and will continue to be irreparably harmed absent the injunction. Finally, the public interest favors granting the injunction.

3. For support of this motion, Plaintiffs rely on their Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction and their Memorandum in Support of Petition for Judicial Review and in Support of Plaintiffs' Motion for Summary Judgment filed contemporaneously herewith.

4. Despite at least two requests from undersigned counsel, opposing counsel has advised that, while it is likely that Defendants will voluntarily proceed with validation, verification, and counting of signatures, pending final determination of this case, because they know of no impediment to doing so, such as another urgent ballot initiative or other election-related matter, they will not stipulate or firmly commit to doing so, such that this motion would be unnecessary.

WHEREFORE, Plaintiffs request that the Court:

- a) Grant this motion;
- b) Preliminarily enjoin Defendants, Maryland State Board of Elections and Linda Lamone, pursuant to Md. Code, Elec. L. § 6-209(a)(2), and Md. Decl. Rts. Art. 19, as the only adequate remedy, to accept first- and second-tier petition signatures from the Plaintiffs for an additional nine days, through June 9, 2019, and July 9, 2019, respectively;
- c) Preliminarily enjoin Defendants, Maryland State Board of Elections and Linda Lamone, pursuant to Md. Code, Elec. L. § 6-206(b)(2), to defer a final determination of sufficiency of the petition pending validation, verification and counting of signatures, and the final judgment in this action, and to proceed with validation, verification, and counting of signatures without reference to the challenged Advance Determinations in this case; and

d) Grant such other and further relief as the Court deems appropriate to assure the integrity of the electoral process.

Dated May 14, 2019

Respectfully submitted,

/s/

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/s/

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I HEREBY DECLARE AND AFFIRM under the penalties of perjury that the facts set forth in ¶
4 above are true and correct to the best of my knowledge, information and belief.

/s/

Debra Gardner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 14th day of May, 2019, a copy of the foregoing Memorandum, including all attachments thereto, was filed and served on counsel of record by MDEC, and sent via e-mail to the following:

Andrea W. Trento
Assistant Attorney General
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_____/s/_____
David Rocah