

No. 18-2250

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

Brett Baber, *et al.*

Plaintiffs-Appellants,

v.

Matthew Dunlap, Secretary of the State of Maine, *et al.*,

Defendants-Appellees,

Jared Golden,

Intervenor-Defendant-Appellee,

and Tiffany Bond, *et al.*,

Intervenors-Defendants-Appellees.

**RESPONSE OF APPELLEE GOV. PAUL L. LePAGE TO
PLAINTIFFS-APPELLANTS' EMERGENCY MOTION
FOR INJUNCTION PENDING APPEAL**

On Appeal from the United States District Court for the District of Maine

Case No. 1:18-cv-00465-LEW

Appellee Gov. Paul L. LePage, in his official capacity as the Governor of the State of Maine, responds to the emergency motion filed by the Appellants on December 18, 2018, as follows:

Gov. LePage will leave office on January 2, 2019. He waived service of the Amended Complaint below, and declined to participate in the hearing. Gov. LePage understands that he was added to the Complaint only to ensure that the election results would not be certified pending this challenge, and because this case is unlikely to meet final resolution during his time in office, any certification decision will be left to the next administration. The Governor thus does not take any position of the motion to expedite or for emergency stay.

The Governor notes, however, that he does disagree with the Secretary of State on the merits of this challenge, and reiterates the points made in his letter to the district court (District Court Doc. 61). It is the Governor's view that this process is repugnant to the governing legal principles that each person's vote be counted in every election, as well as the constitutional guarantees of due process and equal protection.

Respectfully submitted,

/s/ Patrick Strawbridge

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December 19, 2018

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CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 27, the undersigned counsel certifies that this brief:

(i) complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 193 words, including footnotes; and

(ii) complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word Version 16.20 in Times New Roman 14-point font.

/s/ Patrick Strawbridge

Patrick Strawbridge
Counsel for Defendant-Appellee

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of December 2018, a true and correct copy of the foregoing was filed with the Clerk of the United States Court of Appeals for the First Circuit via the Court's CM/ECF system, which will send notice of such filing to all counsel who are registered CM/ECF users.

/s/ Patrick Strawbridge

Patrick Strawbridge
Counsel for Defendant-Appellee

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