

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

VOTEAMERICA; VOTER
PARTICIPATION CENTER; and
CENTER FOR VOTER
INFORMATION,

Plaintiffs,

Case No. 1:21-cv-01390-JPB

v.

Judge J.P. Boulee

BRAD RAFFENSPERGER, in his
official capacity as Secretary of State
of the State of Georgia; SARA
GHAZAL, JANICE JOHNSTON,
EDWARD LINDSEY, and
MATTHEW MASHBURN, in their
official capacities as members of the
STATE ELECTION BOARD,

Defendants,

and

REPUBLICAN NATIONAL
COMMITTEE; NATIONAL
REPUBLICAN SENATORIAL
COMMITTEE; NATIONAL
REPUBLICAN CONGRESSIONAL
COMMITTEE; and GEORGIA
REPUBLICAN PARTY, INC.,

Intervenor-Defendants.

**JOINT STIPULATION OF VOLUNTARY DISMISSAL OF
PLAINTIFF VOTEAMERICA**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties in the

above-captioned matter hereby stipulate to the dismissal of Plaintiff VoteAmerica as a party to this action. The parties stipulate to the following:

1. In 2021, the Georgia State Election Board promulgated updates to Ga. Comp. R. & Regs. 183-1-14-.12 authorizing—subject to the regulation’s terms— “[w]eb-based tools or applications that allow people who are otherwise eligible to request absentee ballots in Georgia (i.e., voters or eligible family members) by entering personal information into the web-based tool or application by the voter or eligible family member to partially complete [] absentee ballot application[s].”
2. Plaintiff VoteAmerica initially believed this regulation only addressed the provision prohibiting pre-filing of absentee ballot applications and continued to pursue relief from the provisions prohibiting the distribution of absentee ballot applications to voters who have already requested absentee ballots and requiring a disclaimer on absentee ballot applications distributed by third parties.
3. However, as the Court has noted, “State Defendants confirmed during the preliminary injunction hearing that those provisions do not apply to VoteAmerica’s absentee ballot application tool.” [Doc. 131 at 5 n.2].
4. Further, State Defendants confirmed in a July 11 e-mail that “a web-based

application where an eligible voter enters his or her personal information to partially complete an application that is then printed and mailed to that voter is permitted under SB 202, provided it complies with all other applicable rules and regulations.” The State Defendants explained that the provisions challenged by VoteAmerica do not apply to web-based applications that fall within that description, provided that the web-based application complies with all other rules and regulations.

5. VoteAmerica believes that its web-based application falls within the regulation’s scope, permitting eligible individuals to request a partially completed absentee ballot application by inputting personal information into its web-based program, and therefore no longer believes it is restricted by the challenged Ballot Application Provisions.
6. This dismissal of VoteAmerica as a party to this action is without prejudice, with each party bearing its own attorneys’ fees and costs as to VoteAmerica’s claims.
7. The remaining parties will continue to litigate all Counts of Plaintiffs’ Complaint, both facially and as-applied to Plaintiffs Voter Participation Center and Center for Voter Information.

STIPULATED AND AGREED TO:

This 26th day of September, 2022.

/s/ Danielle Lang

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**CERTIFICATE OF SERVICE
AND COMPLIANCE WITH LOCAL RULE 5.1**

I hereby certify that I have this date electronically filed the within and foregoing, which has been prepared using Times New Roman font, with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Dated: September 26, 2022

/s/ Danielle Lang

Danielle Lang

Counsel for Plaintiffs

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