

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
FIFTH DIVISION**

**THE LEAGUE OF WOMEN VOTERS  
OF ARKANSAS and ARKANSAS UNITED**

**PLAINTIFFS**

v.

**CASE NO. 60CV-21-3138**

**JOHN THURSTON, in his official capacity  
As the Secretary of State of Arkansas;  
And SHARON BROOKS, BILENDA  
HARRIS-RITTER, WILLIAM LUTHER,  
WENDY BRANDON, JAMIE CLEMMER, and  
J. HARMON SMITH, in their official capacities  
As members of the Arkansas State Board of  
Election Commissioners**

**DEFENDANTS**

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**SECOND MOTION FOR EXTENSION OF TIME TO FILE RECORD**

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COME NOW Defendants John Thurston, in his official capacity as Secretary of State, and Sharon Brooks, Bilenda Harris-Ritter, William Luther, Wendy Brandon, Jamie Clemmer, and J. Harmon Smith, in their official capacities as members of the Arkansas State Board of Election Commissioners, by and through their counsel, Attorney General Leslie Rutledge, Assistant Attorney General Brittany Edwards, and Assistant Attorney General Carl F. "Trey" Cooper, III, and for their Second Motion for Extension of Time to File Record, state:

1. Defendants filed a Notice of Appeal in the above captioned matter on March 24, 2022.
2. In their Notice of Appeal, Defendants designated testimony which was stenographically recorded as a portion of the record. Defendants timely ordered the transcript of the testimony and made financial arrangements required for its preparation.
3. The original date for the record to be lodged was June 22, 2022, and Defendants took steps to ensure the record could be filed on that date.

4. On June 22, 2022, Defendants, at the explicit request of Ms. Neva Warford, the court reporter responsible for the transcript, (hereinafter “Court Reporter”) filed a Motion for Extension of Time to File Record to which Plaintiffs did not object. On the same date, the Court entered its Order Extending Time to File Record on Appeal extending the time to file the record on appeal to July 22, 2022.

5. Since entry of the Order Extending Time to File Record on Appeal, Defendants have taken steps to ensure the record will be ready for filing by the July 22, 2022, deadline, including, but not limited to, emailing and calling the Court Reporter on various occasions.

6. On June 29, 2022, the Court Reporter specifically requested that counsel for Defendants refrain from contacting her about the record. See correspondence to Court Reporter dated June 29, 2022, attached hereto and incorporated herein as **Exhibit A**.

7. Following the Court Reporter’s request that Defendants refrain from contacting her about the record, Defendants notified the Court Reporter that if they had not received the completed record by July 7, 2022, they would need to seek a second extension of time to comply with Ark. R. App. P.-Civil 5(b)(1)(C), which requires all parties have an opportunity to be heard on a motion for extension of time. **Exhibit A**.

8. To date, Defendants have not received the complete certified record from the Court Reporter. Therefore, in an abundance of caution, Defendants file this Second Motion for Extension of Time to File Record so that the Court Reporter has sufficient time to complete the record Ark. R. App. P.-Civil 5(b).

9. Defendants file this Motion in accordance with Ark. R. App. P.-Civil 5(b)(1)(C) to allow Plaintiffs the opportunity to respond and the Court to make a ruling prior to July 22, 2022, when the record must be filed with the Arkansas Supreme Court.

WHEREFORE, the Defendants pray that the Court will enter an order extending the time to file the record; and for any and all other relief to which they may be entitled.

Respectfully submitted,

LESLIE RUTLEDGE  
Arkansas Attorney General

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I, Carl F. "Trey" Cooper, III, certify that on July 7, 2022, I filed the foregoing document with the Clerk of the Court via the E-flex filing system, which shall send notification of the filing to all parties of record and their counsel.

Carl F Cooper III  
CARL F. "TREY" COOPER, III