

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

COMMON CAUSE INDIANA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:17-cv-03936-TWP-MPB
)	
CONNIE LAWSON, in her official)	
capacity as Secretary of State of)	
Indiana, J. BRADLEY KING, in his)	
official capacity as Co-Director of the)	
Indiana Election Division, and)	
ANGELA M. NUSSMEYER, in her)	
official capacity as Co-Director of the)	
Indiana Election Division,)	
)	
Defendants.)	

DEFENDANTS' POSITION STATEMENT

Defendants, by counsel, in accordance with the Court's order in Dkt. 216 and Local Rule 16-2, respectfully submit their position statement and state the following:

1. On July 19, 2021, the Seventh Circuit Court of Appeals issued an opinion affirming the grant of summary judgment to Plaintiffs, but vacating in part the Court's permanent injunction and remanding for further proceedings.

2. The deadline for seeking certiorari of this opinion is October 18, 2021. This date has not yet passed. Defendants are finalizing their assessment of options with respect to any further review, but expect to make a decision well before the October deadline.

3. The Court also requested that the parties include a proposed revised injunction in their statements. Because Defendants are still finalizing their review, Defendants are not yet prepared to provide proposed language for the injunction because of possible waiver implications.

4. Undersigned counsel has communicated with Plaintiff's counsel and understands that Plaintiff expect to file a proposed amended injunction. Undersigned counsel expressed to Plaintiff's counsel Defendants' expectation to be able to discuss with them the possibility of agreeing to language for a proposed amended injunction and their expectations with respect to any further review. Defendants also expect to be able to notify the Court of its position on a proposed amended preliminary injunction no later than September 15, 2021.

Respectfully submitted,

THEODORE E. ROKITA
Indiana Attorney General

Date: September 1, 2021

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