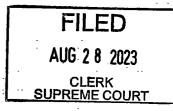


COMMONWEALTH OF KENTUCKY SUPREME COURT OF KENTUCKY 2022-SC-0522-TG (2022-CA-1403)



DERRICK GRAHAM; MARY LYNN COLLINS; KENTUCKY DEMOCRATIC PARTY; JILL ROBINSON; JOSEPH SMITH; AND KATINA SMITH-WILLIS - APPELLANTS

V.

MICHAEL ADAMS, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE OF THE COMMONWEALTH OF KENTUCKY; COMMONWEALTH OF KENTUCKY; AND KENTUCKY STATE BOARD OF ELECTIONS -APPELLEE

ON APPEAL FROM FRANKLIN CIRCUIT COURT HONORABLE THOMAS D. WINGATE, JUDGE NO. 22-CI-00047

AND

2023-SC-0139-TG (2022-CA-1451)

COMMONWEALTH OF KENTUCKY - CROSS-APPELLANT

V.

DERRICK GRAHAM; MARY LYNN COLLINS; KENTUCKY DEMOCRATIC PARTY; JILL ROBINSON; JOSEPH SNITH; KATINA SMITH-WIWS; MICHAEL ADAMS, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE - CROSS-APPELLEES

> ON APPEAL FROM FRANKLIN CIRCUIT COURT HONORABLE THOMAS D. WINGATE, JUDGE NO. 22-CI-00047

STATEMENT AND NOTICE REGARDING THE STATE BOARD OF ELECTIONS' CONTINUED NUETRAL POSITION AS TO THIS LITIGATION

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Appellee, Kentucky State Board of Elections by counsel, in an effort to assist this Court and all counsel in clarifying a voluminous record on appeal states as follows:

The Kentucky State Board of Elections has not taken a position throughout the pendency of this litigation and continues this neutral posture at this point in the proceedings. Undersigned counsel is apprised of this Court's Order setting oral argument for these appeals on September 19, 2023 and will be present and available to answer any question that may aid the Court at that time.

EDFROMDEMC

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Respectfully Submitted,

/s/ Taylor Brown
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, this 25th day of August, 2023, to the following:

Michael P. Abate Casey L. Hinkle William R. Adams KAPLAN JOHNSON ABATE & BIRD LLP 710 W. Main St., 4th Floor Louisville, KY 40202 Counsel for Appellants

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> <u>/s/ Taylor Brown</u> Counsel for Appellee Kentucky State Board of Elections

JM DEMC