

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

**DEBORAH SPRINGER SUTTLAR, JUDY GREEN, FRED LOVE,  
in his individual and official capacity as State Representative,  
KWAMI ABDUL-BEY, CLARICE ABDUL-BEY, and  
PAULA WITHERS,**

**PLAINTIFFS**

**vs.**

**CASE NO. 60CV-22-1849**

**JOHN THURSTON, in his official capacity  
as the Secretary of State of Arkansas and in his official capacity  
as the Chairman of the Arkansas State Board of Election Commissioners;  
and SHARON BROOKS, BILENDA  
HARRIS-RITTER, WILLIAM LUTHER,  
CHARLES ROBERTS, WENDY BRANDON, JAMIE CLEMMER and  
JAMES HARMON SMITH III, in their official capacities  
as members of the Arkansas State Board of  
Election Commissioners,**

**DEFENDANTS**

**JOINT MOTION FOR STAY OF PROCEEDINGS**

The parties respectfully submit this Motion for a stay of proceedings pending the Court's resolution of Defendants' Motion for Judgment on the Pleadings (dated September 1, 2022) and Plaintiffs' Motion for Partial Summary Judgment (dated September 1, 2022) (the "Pending Motions"). The parties respectfully request that the Court decide the Pending Motions expeditiously, given that the Plaintiffs have requested relief ahead of the 2024 congressional elections, and thus time is of the essence in this litigation. The parties also request that the Court continue the bench trial date, currently set to begin in April 2023, to begin instead in July 2023, subject to the Court's availability.

In support of this motion, the parties state as follows:

1. Following remand from federal district court, the parties filed the Pending Motions, which are fully briefed and ripe for decision by this Court. The Court's ruling on these Pending

Motions will materially affect the issues that may eventually be presented at trial. That said, the parties were able to agree upon a pre-trial schedule and have proceeded with discovery while the Court has taken the Pending Motions under advisement.

2. Trial is currently set to begin on April 17, 2023. Under that stipulated schedule, fact discovery is set to close on February 10, 2023, and expert discovery will close on February 20.

3. Given that the Court's decision on the pending motions may impact further fact and expert discovery, the parties respectfully request that the Court stay all proceedings until the Pending Motions have been decided. The parties request that the Court continue the current trial date and direct the parties to consult with chambers and select a trial date later this year. The parties have conferred and agree to request that the trial date be continued until July 2023, subject to the Court's availability.

## **CONCLUSION**

The parties respectfully request that the Court stay proceedings pending resolution of its determination of Defendants' Motion for Judgment on the Pleadings and Plaintiffs' Motion for Partial Summary Judgment.

Respectfully submitted,

TIM GRIFFIN  
Arkansas Attorney General

DYLAN L. JACOBS (2016167)  
Deputy Solicitor General  
HANNAH L. TEMPLIN (2021277)  
Assistant Solicitor General  
Office of the Arkansas Attorney General  
323 Center Street, Suite 200  
Little Rock, AR 72201  
Ph: (501) 682-2007  
Fax: (501) 682-2591  
Email: Dylan.Jacobs@ArkansasAG.gov

*Counsel for Defendants*

/s/ Jess Askew III  
Jess Askew III, Ark. Bar No. 86005  
McKenzie L. Raub, Ark. Bar No. 2019142  
KUTAK ROCK LLP  
124 West Capitol Avenue, Suite 2000  
Little Rock, AR 72201-3740  
Tel: (501) 975-3141  
Fax: (501) 975-3001  
jess.askew@kutakrock.com  
mckenzie.raub@kutakrock.com

Alexander T. Jones, Ark. Bar No. 2015246  
200 West Capitol Avenue, Suite 2300  
Little Rock, AR 72201-3699  
Tel: (501) 212-1241  
Fax: (501) 376-9442  
alexandertaylorjones@gmail.com

Aria Branch\*  
Justin Baxenberg\*  
Aaron M. Mukerjee\*  
Marilyn Gabriela Robb\*  
Spencer Klein\*\*  
ELIAS LAW GROUP LLP  
250 Massachusetts Ave NW, Suite 400  
Washington, D.C. 20001  
Tel: (202) 968-4490  
abranh@elias.law  
jbaxenberg@elias.law  
amukerjee@elias.law  
mrobb@elias.law  
sklein@elias.law

\*Admitted pro hac vice

\*\*Pro hac vice application pending

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I, Dylan L. Jacobs, hereby certify that on February 1, 2023, I electronically filed the foregoing with the Clerk of the Court using the Court's eflex system, which shall advise all parties of record.

/s/ Dylan L. Jacobs  
Dylan L. Jacobs

RETRIEVED FROM DEMOCRACYDOCKET.COM