

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
SOUTHERN DISTRICT

SUPERIOR COURT

Docket No. 226-2022-CV-00233

603 Forward; Open Democracy Action; Louise Spencer; Edward R. Friedrich;
and Jordan M. Thompson,

v.

David M. Scanlan, in his official capacity as the New Hampshire Secretary of State; and
John M. Formella, in his official capacity as the New Hampshire Attorney General

and

Docket No. 226-2022-CV-00236

Manuel Espitia, Jr. and Daniel Weeks,

v.

David Scanlan, in his official capacity as New Hampshire Secretary of State;
and John Formella, in his official capacity as New Hampshire Attorney General

STATUS REPORT AND STIPULATION

NOW COME the Plaintiffs in these consolidated cases—and the Proposed
Intervenor New Hampshire Republican State Committee ("NHRSC")—and respectfully
state and propose the following:

1. By Order dated April 7, 2023, this Court held that the NHRSC's appeal of this
Court's denial of its motion to intervene divested it of jurisdiction to rule on any
substantive matters in this case.

2. Given the fast-approaching 2024 primary election, the Plaintiffs, as well as
NHRSC, desire a prompt resolution of the substantive issues involved in this case.

Approved and So Ordered This order is issued in accordance with the Supreme Court's
remand of the pending appeal. Clerk's Notice of Decision
Document Sent to Parties



Honorable Charles S. Temple
May 2, 2023

3. In order to provide for a prompt resolution, the Plaintiffs and NHRSC propose the following:

- a. The Plaintiffs stipulate that NHRSC may intervene as a party in these consolidated cases;
- b. The Plaintiffs and the NHRSC have moved the New Hampshire Supreme Court to remand the case to this Court for the limited purpose of considering the assented-to intervention;
- c. The Plaintiffs and the NHRSC have also moved to stay the appellate briefing schedule in the NHRSC's appeal of its denial of intervention;
- d. If this Court enters an order granting NHRSC's intervention pursuant to this stipulation, then NHRSC, as appellant, will move to dismiss its appeal without prejudice, as the question of intervention will be rendered moot;
- e. NHRSC agrees that, notwithstanding its entry into the case in the superior court as a party, the pending motion to dismiss in this case requires no further briefing or argument and is ripe for decision; and
- f. Attorney Bryan Gould will withdraw from his representation of NHRSC, thereby removing any personal conflict which would cause the recusal of Judge Temple.
- g. Counsel for the defendants takes no position on this proposed stipulation.

Respectfully Submitted,

N.H. Republican State Committee
By its attorneys,
Lehmann Major List, PLLC

April 21, 2023

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By and through their attorneys affiliated
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CERTIFICATE OF SERVICE

I hereby certify that the within pleading is being served electronically through
the court's ECF system upon counsel of record and all other parties who have entered
electronic service contacts in this case.

April 21, 2023

 /s/ Bryan K. Gould
Bryan K. Gould, Esq.