

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RUTHANN BAUSCH, MARCIA DAY  
DONDieGO, JUDITH REED, RHODA  
EMEFA AMEDEKU, DANIEL  
STROHLER, SHARON STROHLER,  
BERNARD BOAKYE BOATENG,  
LORI RIEKER and LISA DANNER,

Plaintiffs,

v.

LEHIGH COUNTY BOARD OF  
ELECTIONS, NORTHAMPTON  
COUNTY BOARD OF ELECTIONS  
and LEIGH M. CHAPMAN,  
in her capacity as Secretary of the  
Commonwealth of Pennsylvania

Defendants.

JURY TRIAL DEMANDED

Civ. No. 5:22-cv-02111

**STIPULATED AGREEMENT BETWEEN AND AMONG PLAINTIFFS, RHODA  
EMEFA AMEDEKU AND LISA DANNER, AND DEFENDANT, LEHIGH COUNTY  
BOARD OF ELECTIONS**

AND NOW, come the Plaintiffs, Rhoda Emefa Amedeku and Lisa Danner ("Lehigh Plaintiffs"), by and through their attorneys Mobilio Wood, and the Defendant, Lehigh County Board of Elections, by and through its attorneys Sarah Murray and Lucas Repka, and hereby submit the instant Stipulated Agreement and aver as follows:

1. Plaintiff Rhoda Emefa Amedeku is among a group of 94 Democratic Lehigh County voters in State Senate District 14 whose timely-submitted mail-in ballots for the May 17,

2022, election will not count because it was not placed in a “secrecy envelope” before being sent to the Election Board.

2. Plaintiff Lisa Danner is among a group of 118 Democratic Lehigh County voters in State Senate District 14 whose mailed ballots for the May 17, 2022, election will not count because said ballots were mailed to the Lehigh County Election Office on or before May 17, 2022, but were not received by the Lehigh County Election Office on or before May 17, 2022, at 8:00 p.m.

3. On May 31, 2022, the Lehigh Plaintiffs filed a Complaint in the Eastern District of Pennsylvania alleging that the aforementioned impediments to the counting of their votes was unlawful.

4. Although the parties disagree on the application of the law aforesaid, the parties agree that a more robust voter education system should be established to ensure that Lehigh County voters have every opportunity to have their votes counted.

5. In furtherance of that objective, and as a full and final resolution of the aforementioned matter, the parties agree as follows:

- a. Plaintiffs will immediately seek the dismissal, with prejudice, of the instant litigation.
- b. Defendant, Lehigh County Board of Elections, will, from this date forward:
  - a. Include an insert with all outgoing mail-in ballot applications and absentee ballot applications (including permanent voter mailings) emphasizing the importance of providing contact information on the ballot application; and

- b. Include messaging on the Lehigh County Voter Registration website emphasizing the importance of providing contact information on the ballot application.

6. The parties also agree that is in the best interests of the Lehigh County Board of Elections and Lehigh County voters to provide notice to a voter who returns a mail-in ballot or an absentee ballot without a secrecy envelope (known as “Naked Ballots”).

7. In furtherance of that objective, the Lehigh County Voter Registration Office shall do the following:


- a. During the pre-canvass, which begins on or after 7:00 am on Election Day, the Office shall notify all voters whose Naked Ballots are discovered prior to 8:00 pm on Election Day and/or provide the names of such voters to the party and/or candidate representative(s) who are on-site during pre-canvassing so that the voters can be notified;
- b. Explore in good faith the acquisition of a ballot sorter that has the capability to either weigh return ballots or measure their thickness so that voters can be notified of possible Naked Ballots. If feasible, such a ballot sorter shall be purchased and in operation as soon as possible;
- c. Explore in good faith the legality of the Office notifying voters if, upon receipt of their ballot, the Office believes (without opening or tampering with the envelope or the ballot) that the voter may have submitted a Naked Ballot. If feasible, this practice shall be implemented in advance of the November 2022 General Election; and

- d. Explore in good faith changing the color of the secrecy envelope to something more conspicuous than white, so that the secrecy envelope stands out to the voter and is easily discernable from other materials provided to them with their mail-in or absentee ballot.

Date: June 15, 2022

By:   
Matthew Mobilio, Esquire  
Attorney for Plaintiffs

Date: June 15, 2022

By:   
Sarah M. Murray, Esquire  
Deputy County Solicitor  
Attorney for Defendant Lehigh  
County Board of Elections

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