

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

**PUBLIC INTEREST LEGAL
FOUNDATION, INC.,**

Plaintiff,

v.

MONICA HOLMAN EVANS,

Defendant.

Civil Action No. 1:21-cv-03180-ACR

JOINT STATUS REPORT

On April 10, 2023, the Court issued a minute order denying without prejudice Executive Director Evans's Motion to Dismiss [9]. The Court further ordered the Parties to submit a joint status report updating the Court on (1) any material developments in the case since the last filing; (2) the status of settlement discussions, if any; and (3) a proposal on how to conduct further proceedings in this case. The Parties respond as follows.

I. Material Developments in the Case

This case concerns two requests from Plaintiff to the Board of Elections (BOE) for the disclosure of certain voter registration information under a provision of the National Voter Registration Act, 52 U.S.C. § 20501, et seq. Due to the passage of time, some—but not all—of the information Plaintiff sought is no longer protected under that statutory scheme and will be produced by BOE. This change does not, however, moot Plaintiff's claims; nor does it materially impact the arguments in Director Evans's Motion to Dismiss.

II. Settlement Discussions

The parties have not engaged in settlement discussions, and settlement is unlikely.

III. Proposal for Further Proceedings

As noted, Plaintiff's claims remain live, and Director Evans intends to refile her Motion to Dismiss without material update. In accordance with Section 7(f) of the Court's Standing Order, the Parties are available for a pre-motion conference on May 2, 4, or 5, 2023. The Parties propose the following briefing schedule for the re-filing of Defendant's Motion to Dismiss:

EVENT	DEADLINE
Defendant's Motion to Dismiss	May 19, 2023
Plaintiff's Opposition to Defendant's Motion to Dismiss	June 2, 2023
Reply in Support of Defendant's Motion to Dismiss	June 16, 2023

Dated: May 1, 2023

Respectfully submitted,

BRIAN L. SCHWALB
Attorney General for the District of Columbia

STEPHANIE E. LITOS
Deputy Attorney General
Civil Litigation Division

/s/ Matthew Blecher
Matthew Blecher [1012957]
Chief, Civil Litigation Division, Equity Section

/s/ Aaron Finkhousen
AARON J. FINKHOUSEN [1010044]
Assistant Attorney General
400 Sixth Street, N.W.
Washington, D.C. 20001
Phone: (202) 717-1248
Fax: (202) 730-0493
aaron.finkhousen@dc.gov

Counsel for Defendant

/s/ Noel H. Johnson
Kaylan L. Phillips (D.C. Bar #1011583)

Noel H. Johnson* (Wisconsin Bar #1068004)
Public Interest Legal Foundation
107 S. West Street, Suite 700
Alexandria, VA 22314
Telephone: 703-745-5870
Fax: (888) 815-5641
kphillips@PublicInterestLegal.org
njohnson@PublicInterestLegal.org
* *Motion for admission pro hac vice granted*

Attorneys for Plaintiff Public Interest Legal Foundation

RETRIEVED FROM DEMOCRACYDOCKET.COM