

JAMES C. ROMINE, et al.

: IN THE COURT OF COMMON

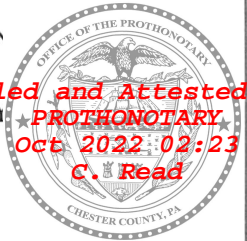
V.

: CHESTER COUNTY, PENNSY

CHESTER COUNTY BOARD OF
ELECTIONS, et al.

: NO. 2022-07093-IR

Filed and Attested by
PROTHONOTARY
19 Oct 2022 02:23 PM
C. Read



Walter S. Zimolong, Esquire, Attorney for Plaintiffs
Robert A. Wiygul, Esquire, Bonnie M. Hoffman, Esquire and Colleen Frens, Esquire
Attorneys for Defendants

ORDER

AND NOW this 19th day of October, 2022, after conducting a hearing in this matter, and based upon representations made by Defendants during the course of this hearing, it is hereby ORDERED and DECREED that the Plaintiffs' request for preliminary/special injunctive relief is DENIED.¹ All requests for admission *pro hoc vice* and intervention are WITHDRAWN as MOOT.

BY THE COURT:

William P. Mahon, J.

¹ Counsel for Defendants placed on the record the policies and procedures that were recently adopted by Defendant Chester County Board of Elections (Board) with respect to the implementation and monitoring of all Chester County voting drop boxes and have committed that the Board is bound by those policies and procedures. Specifically, counsel committed to having no unmanned ballot drop boxes. Further, all drop boxes will be capable of receiving drop ballots only during specified periods of time when those boxes are monitored by paid employees of the Board. When not monitored, the boxes will be locked. Defendants committed to a policy that the only individuals who may deposit more than one ballot at a time in a drop box are those acting on behalf of a disabled individual pursuant to the Americans with Disabilities Act; otherwise, only one ballot may be dropped into a drop box per individual. A notice regarding this requirement will be posted at each drop box. If an individual attempts to deposit more than one ballot into a drop box, that voter will be informed by the box monitor(s) that in order to deposit more than one ballot at one time by an individual, that ballot must have affixed to the outside a certification of authority to deposit that ballot pursuant to the Americans with Disabilities Act. Defendants further agreed on the record that all drop boxes will be monitored by video camera and that the video of those depositing into the drop box will be preserved for at least ninety (90) days after the election. If anyone attempts to deposit more than one ballot into the drop box without an accompanying certification, that depositor will be informed by the monitor(s) that those actions are contrary to law and the monitor will request that the ballot be placed in a separate receptacle. Failure of the ballot depositor to so comply will generate an incident report and the incident will be referred to the Chester County District Attorney's Office for criminal investigation. These policies adopted by the Board adequately address the issues raised in the Petition and provide an adequate basis for further relief for non-compliance. The Court commends the Board upon modification of its voting policies as set forth above and the commitment to implementation of those record policies.