

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PENNSYLVANIA STATE CONFERENCE OF  
THE NAACP, *et al.*,

*Plaintiffs,*

v.

LEIGH M. CHAPMAN, in her official capacity  
as Acting Secretary of the Commonwealth, *et*  
*al.*,

*Defendants.*

Case No. 1:22-cv-00339-  
SPB

STIPULATION

Plaintiffs and the undersigned County Election Boards, by their undersigned counsel, hereby stipulate as follows:

1. The undersigned County Election Boards desire a prompt resolution of this case in order to have direction on how to properly proceed in future elections. Accordingly, while the undersigned County Election Boards neither admit nor deny the allegations of the Amended Complaint, the undersigned County Election Boards do not object to, and stipulate and agree to not contest or appeal, the declaratory and injunctive relief requested by Plaintiffs in this action. The forgoing does not prohibit the undersigned County Election Boards from joining an appeal of a decision of this Court denying Plaintiffs' requested declaratory and injunctive relief or from appealing a decision of the Court imposing sanctions on the undersigned County Election Boards.

2. In the absence of any further agreed-upon extension by Plaintiffs, the undersigned County Election Boards stipulate and agree: that they shall not unreasonably impede discovery in this action; that they will, by January 20, 2023, answer and respond fully and completely to the written interrogatories, document requests, and requests for admission served upon them by Plaintiffs on December 14, 2022, limiting objections to the extent reasonably possible to those concerning privilege; and that they will produce to Plaintiffs' counsel all requested non-privileged items and documents.

3. In exchange for the undersigned County Election Boards' stipulation and cooperation in discovery as stated in the other paragraphs of this Stipulation, Plaintiffs stipulate and agree: to forgo any claim for attorneys' fees and costs against only the undersigned County Election Boards; to refrain from seeking the entry of any default or seek any further response from the undersigned County Election Boards in this case; and to forgo any other relief in this case against the undersigned County Election Boards other than the injunctive and declaratory relief sought in Plaintiffs' Amended Complaint.

4. To the extent the deposition testimony or other sworn statement of the undersigned County Election Boards shall be reasonably necessary for evidentiary purposes, Plaintiffs and the undersigned County Election Boards stipulate and agree to reasonably cooperate with each other to provide such testimony or statement in the least burdensome manner.

Undersigned counsel for Plaintiffs represents that counsel for all other parties listed below consent to this Stipulation.

Dated: January 4, 2023

Respectfully submitted,

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Pleban Polinski, Joel Bencan, and  
Laurence M. Smith*

ADAMS COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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Sean A. Mott

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Dated: January 4, 2023

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ARMSTRONG COUNTY BOARD OF  
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Dated: January 4, 2023

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BEAVER COUNTY BOARD OF  
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Dated: January 4, 2023

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BLAIR COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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BUCKS COUNTY BOARD OF  
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Dated: January 4, 2023

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CAMBRIA COUNTY BOARD OF  
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Dated: January 4, 2023

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CAMERON COUNTY BOARD OF  
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Dated: January 4, 2023

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CHESTER COUNTY BOARD OF  
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Dated: January 4, 2023

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CLARION COUNTY BOARD OF  
ELECTIONS and SUSQUEHANNA  
COUNTY BOARD OF ELECTIONS and  
TIOGA COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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CLINTON COUNTY BOARD OF  
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Dated: January 4, 2023

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CRAWFORD COUNTY BOARD OF  
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Dated: January 4, 2023

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CUMBERLAND COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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DELAWARE COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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ELK COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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ERIE COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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FRANKLIN COUNTY BOARD OF  
ELECTIONS and POTTER COUNTY  
BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Frank J. Lavery, Jr.  
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JUNIATA COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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LEHIGH COUNTY BOARD OF  
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Dated: January 4, 2023

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Dated: January 4, 2023

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Dated: January 4, 2023

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MONTGOMERY COUNTY BOARD OF  
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Dated: January 4, 2023

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NORTHAMPTON COUNTY BOARD OF  
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Dated: January 4, 2023

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PHILADELPHIA COUNTY BOARD OF  
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Dated: January 4, 2023

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POTTER COUNTY BOARD OF  
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Dated: January 4, 2023

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SOMERSET COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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SULLIVAN COUNTY BOARD OF  
ELECTIONS and WYOMING COUNTY  
BOARD OF ELECTIONS

Dated: January 4, 2023

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Dated: January 4, 2023

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WAYNE COUNTY BOARD OF  
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Dated: January 4, 2023

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It is so ordered this 5th day of January, 2022.



United States District Judge