

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

SUPPLEMENTAL 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 13, 2023

Respectfully submitted,

Ari J. Savitzky
Megan C. Keenan
Sophia Lin Lakin
Adriel I. Cepeda Derieux
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
asavitzky@aclu.org
mkeenan@aclu.org
slakin@aclu.org
acepedaderieux@aclu.org

David Newmann (PA 82401)
Brittany Armour (PA 324455)
HOGAN LOVELLS US LLP
1735 Market Street, 23rd Floor
Philadelphia, PA 19103
Tel: (267) 675-4610
david.newmann@hoganlovells.com
brittany.armour@hoganlovells.com

/s/Stephen A. Loney, Jr.
Witold J. Walczak (PA 62976)
Richard T. Ting (PA 200438)
AMERICAN CIVIL LIBERTIES UNION
OF PENNSYLVANIA
P.O. Box 23058
Pittsburgh, PA 15222
Tel: (412) 681-7736
vwalczak@aclupa.org
rting@aclupa.org

Marian K. Schneider (PA 50337)
Stephen Loney (PA 202535)
AMERICAN CIVIL LIBERTIES UNION
OF PENNSYLVANIA
P.O. Box 60173
Philadelphia, PA 19102
mschneider@aclupa.org
sloney@aclupa.org

*Counsel for the Pennsylvania State
Conference of the NAACP, League
of Women Voters of Pennsylvania,
Philadelphians Organized to
Witness, Empower and Rebuild,
Common Cause Pennsylvania,
Black Political Empowerment
Project, Make the Road
Pennsylvania, Jean Terrizzi,
Barry M. Seastead, Marjorie
Boyle, Marlene G. Gutierrez,
Deborah Diehl, Aynne Margaret
Pleban Polinski, Joel Bencan, and
Laurence M. Smith*

BRADFORD COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Jonathan P. Foster Jr.
Jonathan P. Foster Jr., Esq.
COUNTY OF BRADFORD
303 South Keystone Ave.
Sayre, PA 18840
Tel: 570-888-1529
Fax: 570-882-8005
jonathan.jr@fosterslawfirm.com

CLEARFIELD COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Heather L. Bozovich
Heather L. Bozovich, Esquire
LAW OFFICE OF HEATHER L. BOZOVICH
114 South 2nd Street
Clearfield, PA 16830
Heather@bozovichlaw.com
Tel: (814) 290-0566
Fax: (814) 290-0529

FAYETTE COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/John M. Purcell
John M. (Jack) Purcell, Esquire
55 East Church Street, Suite 101
Uniontown, PA 15401
Tel: 724-437-2711
Fax: 724-437-5760
jackpurcell146@gmail.com

GREENE COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Robert Eugene Grimm
Robert Eugene Grimm, Esquire
SOLICITOR FOR GREENE COUNTY
93 East High Street
Third Floor Room 304
County Office Building
Waynesburg, PA 15370
rgrimm@co.greene.pa.us
Tel: 724-569-2819

LUZERNE COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Joseph M. Cosgrove
Joseph M. Cosgrove
SELINGO GUAGLIARDO LLC
345 Market Street
Kingston, PA 18704
Tel: 570-287-2400
jcosgrove@getyourselfagoodlawyer.com

MCKEAN COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Anthony V. Clarke
Anthony V. Clarke
THE CLARKE FIRM
204 Bolivar Drive
Bradford, PA 16701
theclarkefirm@yahoo.com
Tel: (814) 363-9990
Fax: (814) 363-9993

WARREN COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Nathaniel J. Schmidt
Nathaniel J. Schmidt, Esq.
Solicitor for Warren County
315 Second Avenue, Suite 704
P. O. Box 746
Warren, PA 16365
contact@theschmidtlawfirm.com
Tel: 814-723-8665
Fax: 814-723-3413

WASHINGTON COUNTY BOARD OF
ELECTIONS

Dated: January 13, 2023

/s/Jana P. Grimm
Jana P. Grimm
Lauren L. Mathews
VORYS, SATER, SEYMOUR AND PEASE LLP
500 Grant St., Ste. 4900
Pittsburgh, PA 15219
jpgrimm@vorys.com
llmathews@vorys.com
Tel: 412-904-7706

It is so ordered this 17th day of January, 2023


United States District Judge