

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

Democratic Party of Georgia, Inc., DSCC,
and Warnock for Georgia,

Plaintiffs,

v.

STATE OF GEORGIA,

Defendant.

Civil Action No. 2022CV372734

EMERGENCY RELIEF REQUESTED

EMERGENCY MOTION FOR EXPEDITED HEARING

COME NOW Plaintiffs Democratic Party of Georgia, Inc. (“DPG”), DSCC, and Warnock for Georgia, and file this EMERGENCY MOTION FOR EXPEDITED HEARING concerning Plaintiffs’ Emergency Motion for Temporary Restraining Order and/or Interlocutory Injunction and request expedited consideration of this Motion, and state as follows:

Plaintiffs file contemporaneously with this Motion their Verified Complaint for Declaratory and Injunctive Relief and their Emergency Motion for Temporary Restraining Order or Interlocutory Injunction seeking to vindicate Georgians’ right to vote in the upcoming statewide December 6, 2022 runoff for one of Georgia’s seats in the U.S. Senate (the “Senate Runoff”). As Plaintiffs recount therein, Georgia law requires counties to commence “a period of advance voting” for the runoff “as soon as possible.” O.C.G.A. § 21-2-385(d)(1)(B). Acting for the State of Georgia, however, Secretary of State Raffensperger has issued unsupportable guidance to county election superintendents that O.C.G.A. § 21-2-385(d)(1) bars them from opening the polls on Saturday, November 26. Plaintiffs seek an immediate hearing on their emergency motion for declaratory and injunctive relief.

Under Uniform Rule of Superior Court Rule 6.7, this Court “may shorten or waive the time requirement applicable to emergency motions . . . or grant an immediate hearing on any matter requiring such expedited procedure.” UNIF. SUP. CT. R. 6.7. Plaintiffs’ Motions and requests for relief are matters “requiring such expedited procedure” because counties must inform their citizens in advance of when and where advance voting will take place, because Plaintiffs and their members and constituents have immediate need of guidance on when and where they may vote and on what communications concerning the permissibility of counties holding advance voting on November 26, 2022 may state consistent with Georgia law, and because there is a *bona fide* dispute over the meaning of directly applicable statutory law governing that question. An emergency hearing and resolution of the controversy is necessary to provide clarity to all community and election stakeholders moving forward.

Plaintiffs pray that the Court grant the Petitioner’s EMERGENCY MOTION FOR EXPEDITED HEARING and set the same for hearing as soon as possible, *and no later than Friday, November 18, 2022*, to ensure that any ruling in Plaintiffs’ favor will give the counties sufficient time to notify voters about any changes to advance voting dates. Plaintiffs’ counsel will email a proposed Rule Nisi in Microsoft Word format to the staff attorney of the Presiding Judge for the convenience of the Court.

[signature on following page]

Respectfully submitted this 14th day of November 2022.

KREVOLIN & HORST, LLC

/s/Adam M. Sparks

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** Pro Hac Vice application forthcoming
Counsel for Plaintiffs*