

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

|                                     |   |   |
|-------------------------------------|---|---|
| <b>DEMOCRATIC PARTY OF GEORGIA,</b> | ) |   |
| <b>INC., DSCC, and WARNOCK FOR</b>  | ) |   |
| <b>GEORGIA,</b>                     | ) |   |
|                                     | ) |   |
| <b>Plaintiffs,</b>                  | ) |   |
|                                     | ) |   |
| <b>v.</b>                           | ) | <b>CIVIL ACTION NO.: 2022-CV-372734</b> |
|                                     | ) |   |
| <b>THE STATE OF GEORGIA,</b>        | ) |   |
|                                     | ) |   |
|                                     | ) |   |
| <b>Defendant.</b>                   | ) |   |

**GEORGIA REPUBLICAN PARTY, INC. NATIONAL REPUBLICAN SENATORIAL  
COMMITTEE, AND REPUBLICAN NATIONAL COMMITTEE’S ANSWER**

The Georgia Republican Party, Inc., National Republican Senatorial Committee, and Republican National Committee (jointly, the “Republican Committees”) hereby answer the Verified Complaint for Declaratory and Injunctive Relief (the “Complaint”).

**PRELIMINARY STATEMENT**

1. To the extent that Paragraph 1 is a summary of the Complaint, no answer is required. The Republican Committees deny the paragraph insofar as it alleges that counties may conduct advance voting on Saturday, November 26, 2022.

2. The Republican Committees deny the Plaintiffs’ characterization of the Secretary of State’s Office’s November 12, 2022, Official Election Bulletin (the “Bulletin”) as “unsupportable” and contrary to Georgia law. To the extent Paragraph 2 consists of a summary of the Bulletin, the Bulletin speaks for itself.

3. The Republican Committees deny the allegations in Paragraph 3 insofar as they characterize statements by Georgia officials at a press conference and in a media interview as

binding election rulings. The transcript and television clip referenced in this paragraph speak for themselves.

4. The Republican Committees deny the allegations in Paragraph 4.

5. Paragraph 5 consists of Plaintiffs' requests for relief. The Republican Committees deny that any such relief is warranted.

#### **JURISDICTION AND VENUE**

6. To the extent the Republican Committees are required to respond to the legal conclusions in Paragraph 6, the Republican Committees deny the allegations of Paragraph 6.

7. To the extent the Republican Committees are required to respond to the legal conclusions in Paragraph 7, the Republican Committees deny the allegations of Paragraph 7.

#### **PARTIES**

8. The Republican Committees lack sufficient information to admit or deny the allegations in Paragraph 8.

9. The Republican Committees lack sufficient information to admit or deny the allegations in Paragraph 9.

10. The Republican Committees lack sufficient information to admit or deny the allegations in Paragraph 10.

11. The quoted statutes speak for themselves. To the extent the Republican Committees are required to respond to the remaining allegations consisting of legal conclusions, the Republican Committees deny Plaintiff's allegations in Paragraph 11.

#### **FACTS**

12. The Republican Committees admit the allegations in Paragraph 12.

13. The Republican Committees admit the allegations in Paragraph 13.

14. The Republican Committees admit the allegations in Paragraph 14.
15. The Republican Committees admit the allegations in Paragraph 15.
16. The quoted statute speaks for itself. The Republican Committees admit the remaining allegations in Paragraph 16.
17. The Republican Committees admit Plaintiffs' allegation concerning Secretary Raffensperger's news conference in Paragraph 17. The Republican Committees deny Plaintiffs' remaining allegations in Paragraph 17.
18. The Election Bulletin quoted by the Plaintiffs speaks for itself. The Republican Committees deny Plaintiffs' allegations in Paragraph 18 that "the Secretary's Office reversed course." The Republican Committees deny any remaining allegations in Paragraph 18.
19. The Election Bulletin quoted by the Plaintiffs speaks for itself. To the extent any response is required, the Republican Committees admit the allegations in Paragraph 19.
20. The Election Bulletin quoted by the Plaintiffs speaks for itself. To the extent any response is required, the Republican Committees admit the allegations in Paragraph 20.
21. The Election Bulletin quoted by the Plaintiffs speaks for itself. To the extent any response is required, the Republican Committees admit the allegations in Paragraph 21.
22. The Republican Committees deny the allegations in Paragraph 22.
23. The Republican Committees deny the allegations in Paragraph 23.
24. The Republican Committees deny the allegations in Paragraph 24.
25. The Republican Committees deny the allegations in Paragraph 25.
26. The Republican Committees deny the allegations in Paragraph 26.
27. The quoted statute speaks for itself. The Republican Committees deny any remaining allegations in Paragraph 27.

28. The Republican Committees deny the allegations in Paragraph 28.

29. The Republican Committees deny the allegations in Paragraph 29.

30. The television clip referenced in this paragraph speaks for itself. The Republican Committees deny Plaintiffs' allegations in Paragraph 30 insofar as they characterize Secretary Raffensperger's statement at a press conference as a binding election ruling. The Republican Committees deny any remaining allegations in Paragraph 30.

31. The Republican Committees deny the allegations in Paragraph 31 insofar as they characterize Secretary Raffensperger's statement at a press conference as a binding election ruling. The Republican Committees admit the remaining allegations in Paragraph 31.

32. The Republican Committees deny Plaintiffs' allegation in Paragraph 32 that the Secretary's Office "reversed course." The Republican Committees admit the remaining allegations in Paragraph 32 concerning the Official Election Bulletin. The Republican Committees are without knowledge as to how many individuals in Georgia or elsewhere viewed Secretary Raffensperger's press conference, and therefore deny these allegations.

33. The Republican Committees deny the allegations in Paragraph 33.

34. The Republican Committees deny the allegations in Paragraph 34.

**COUNT I**  
**Request for Declaratory Relief, O.C.G.A. § 9-4-2**

35. The Republican Committees reincorporate their responses to the allegations in Paragraphs 1 through 34.

36. The Republican Committees deny the allegations in Paragraph 36.

37. The Republican Committees deny the allegations in Paragraph 37.

38. The Republican Committees are without knowledge as to Plaintiffs' allegation that "several counties within Georgia would hold in-person advance voting on Saturday, November 26

but for Defendant's issuance of the November 12 Bulletin" and therefore deny the allegation. The Republican Committees deny the remaining allegations in Paragraph 38.

39. The Republican Committees deny the allegations in Paragraph 39.

40. The Republican Committees deny the allegations in Paragraph 40.

41. The Republican Committees deny the allegations in Paragraph 41.

**COUNT I**  
**Request for Declaratory Relief, O.C.G.A. § 9-4-2**

42. The Republican Committees reincorporate their responses to the allegations in Paragraphs 1 through 41.

43. The Republican Committees deny the allegations in Paragraph 43.

44. The Republican Committees deny the allegations in Paragraph 44.

45. The Republican Committees deny the allegations in Paragraph 45.

46. The Republican Committees deny the allegations in Paragraph 46.

47. The Republican Committees deny the allegations in Paragraph 47.

48. The Republican Committees deny the allegations in Paragraph 48.

**PRAYER FOR RELIEF**

The Republican Committees deny that Plaintiffs are entitled to the relief requested in their Prayer for Relief.

WHEREFORE, the Republican Committees respectfully request that the Court deny the Plaintiffs' requested relief and award the Republican Committees such relief as the Court may deem just and appropriate.

DATED: November 15, 2022

Respectfully submitted,

*/s/ R. Thomas Warburton*

R. Thomas Warburton

---

OF COUNSEL

R. Thomas Warburton  
Georgia Bar No. 218175  
Thomas L. Oliver III  
Georgia Bar No. 745597  
BRADLEY ARANT BOULT CUMMINGS LLP  
1819 Fifth Avenue North  
Birmingham, AL 35203-2119  
Telephone: (205) 521-8000  
Facsimile: (205) 521-8800  
[twarburton@bradley.com](mailto:twarburton@bradley.com)  
[toliver@bradley.com](mailto:toliver@bradley.com)

OF COUNSEL

Judson H. Turner  
Georgia Bar No. 719485  
Mark D. Johnson  
Georgia Bar No. 395041  
Mark M. Middleton  
Georgia Bar No. 504907  
Robert L. Fortson  
Georgia Bar No. 142684

GILBERT HARRELL SUMERFORD & MARTIN, P.C.  
777 Gloucester St., Suite 200  
Brunswick, GA 31520  
Telephone: (912) 265-6700  
Facsimile: (912) 264-0244  
[jturner@ghsmlaw.com](mailto:jturner@ghsmlaw.com)  
[mjohnson@ghsmlaw.com](mailto:mjohnson@ghsmlaw.com)  
[mmiddleton@ghsmlaw.com](mailto:mmiddleton@ghsmlaw.com)  
[rfortson@ghsmlaw.com](mailto:rfortson@ghsmlaw.com)

**CERTIFICATE OF SERVICE**

I, R. Thomas Warburton, do hereby certify that on the 15th day of November, 2022, a true and correct copy of the foregoing **Georgia Republican Party, Inc., National Republican Senatorial Committee and Republican National Committee’s Answer** was served via First-Class United States Mail, postage prepaid, addressed to:

Office of the General Counsel  
of the State Bar of Georgia  
Attn: Kathy Jackson  
104 Marietta St. NW, Suite 100  
Atlanta, GA 30303

Joyce Gist Lewis  
Adam M. Sparks  
KREVOLIN & HORST, LLC  
One Atlantic Center  
1201 W. Peachtree St., NW  
Ste. 3250  
Atlanta, GA  
P: (404) 888-9700  
F: (404) 888-9577  
[jlewis@khlawfirm.com](mailto:jlewis@khlawfirm.com)  
[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)

Mark D. Johnson  
Mark M. Middleton  
Robert L. Fortson  
Gilbert Harrell Sumerford & Martin, P.C.  
777 Gloucester St.  
Suite 200  
Brunswick, GA 31520

***Attorneys for Intervening Defendants***

Uzoma N. Nkwonta  
Christopher D. Dodge  
Daniel C. Osbe  
Graham White  
Marcos Mocine-McQueen  
ELIAS LAW GROUP LLP  
10 G Street, NE  
Suite 600  
Washington, DC 20002  
P: (202) 968-4490  
F: (202) 968-4498  
[cdodge@elias.law](mailto:cdodge@elias.law)  
[dosher@elias.law](mailto:dosher@elias.law)  
[gwhite@elias.law](mailto:gwhite@elias.law)  
[mmcqueen@elias.law](mailto:mmcqueen@elias.law)

***Counsel for Plaintiff***

This 15th day of November, 2022.

R. Thomas Warburton  
R. Thomas Warburton