

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TATI ABU KING, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:23-cv-408-JAG
)	
JOHN O'BANNON, in his official capacity)	
as Chairman of the State Board of Elections)	
for the Commonwealth of Virginia, et al.,)	
)	
Defendants.)	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
UNDER FEDERAL RULE OF CIVIL PROCEDURE 56**

Defendants John O'Bannon, Rosalyn R. Dance, Georgia Alvis-Long, Christopher P. Stolle, J. Chapman Petersen, Susan Beals, Eric Spicer, and Sandy C. Elswick, in their official capacities (collectively, the Defendants),¹ by counsel and pursuant to Federal Rule of Civil Procedure 56, hereby move this Honorable Court to enter summary judgment for the Defendants on the claims brought against them by Plaintiffs Tati Abu King, Toni Heath Johnson, and the putative class. In support, the Defendants rely on the Memorandum in Support and accompanying Declaration and Exhibits filed herewith.

¹ Christopher P. Stolle and J. Chapman Petersen are now members of the State Board of Elections and they are automatically substituted as parties for Donald W. Merricks and Matthew Weinstein per Federal Rule of Civil Procedure 25(d).

Dated: July 18, 2025

Respectfully submitted,

JOHN O'BANNON
ROSALYN R. DANCE
GEORGIA ALVIS-LONG
CHRISTOPHER P. STOLLE
J. CHAPMAN PETERSEN
SUSAN BEALS
ERIC SPICER
SANDY C. ELSWICK

By: /s/ Erika L. Maley
Erika L. Maley (VSB #97533)
Solicitor General

Charles J. Cooper (*Pro Hac Vice*)
John D. Ramer (*Pro Hac Vice*)
Haley N. Proctor (VSB #84272)
Joseph O. Masterman (*Pro Hac Vice*)
COOPER & KIRK, PLLC
1523 New Hampshire Avenue, N.W.
Washington, D.C. 20036
Tel: (202) 220-9600
Fax: (202) 220-9601
ccooper@cooperkirk.com

Counsel for Defendants

Jason S. Miyares
Attorney General
Thomas J. Sanford (VSB #95965)
Deputy Attorney General
Kevin M. Gallagher (VSB #87548)
Principal Deputy Solicitor General

Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219
(804) 786-7704 – Telephone
(804) 371-0200 – Facsimile
SolicitorGeneral@oag.state.va.us

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on July 18, 2025, the foregoing motion was electronically transmitted to all counsel of record in this matter.

/s/ Erika L. Maley
Erika L. Maley (VSB #97533)
Solicitor General

RETRIEVED FROM DEMOCRACYDOCKET.COM