

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

**LEAGUE OF WOMEN VOTERS OF ARKANSAS,
*et al.***

PLAINTIFFS,

v.

No. 5:20CV05174 PKH

**JOHN THURSTON, in his official capacity as
the Secretary of State of Arkansas, and
SHARON BROOKS, BILENDA HARRIS-RITTER,
WILLIAM LUTHER, CHARLES ROBERTS,
JAMES SHARP, and J. HARMON SMITH, in
their official capacities as members of the
Arkansas State Board of Election
Commissioners,**

DEFENDANTS.

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants state for their motion for summary judgment as follows:

1. Plaintiffs lack standing to bring their claims.
2. Sovereign immunity bars Plaintiffs' claims.
3. Plaintiffs' right-to-vote claim fails as a matter of law.
4. Plaintiffs' Section 1971 claim fails as a matter of law.
5. In support of this motion, Defendants rely upon the contemporaneously filed brief

in support, statement of facts, and the following exhibits:

- a. Ex. 1 – Declaration of Daniel Shults
- b. Ex. 2 – Expert Report of Thomas Brunell, Ph.D.
- c. Ex. 3 – Deposition of Daniel Shults
- d. Ex. 4 – Deposition of Thomas Brunell
- e. Ex. 5 – Deposition of Nell Matthews Mock (LWVAR 30(b)(6))

Viewing the facts in the light most favorable to Plaintiffs, there is no dispute of material fact, and Defendants are entitled to judgment as a matter of law. Therefore, Defendants respectfully request that the Court grant their motion for summary judgment.

Submitted: January 10, 2023

Respectfully,

TIM GRIFFIN

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