

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ANDY KIM *in his personal capacity as a
candidate for U.S. Senate, et al.,*

Plaintiffs,

v.

CHRISTINE GIORDANO HANLON, *et al.,*

Defendants.

Civil Action No. 24-1098 (ZNQ) (TJB)

ORDER

QURAIISHI, District Judge

THIS MATTER, having come before the Court on Plaintiffs' Motion for a Preliminary Injunction (ECF No. 5) and Defendants' Motions in Limine (ECF Nos. 152–158), for the reasons set forth in the accompanying Opinion, and for good cause shown.

IT IS on this **29th** day of **March 2024**,

ORDERED THAT:


1. Defendants' Motions in Limine (ECF Nos. 152–158) are hereby **DENIED**.
2. Plaintiffs' Motion for Preliminary Injunction (ECF No. 5) is hereby **GRANTED**.
3. Defendants and each of them; their officers, agents, servants, employees, and attorneys as follows (collectively, "Defendants"), with regard to the June 4, 2024 New Jersey Primary Election are enjoined as follows:

- (a) Defendants are enjoined from preparing, disseminating, using, displaying, or counting any ballot, in any form, whether on paper or electronic, that:
 - i. Is designed by columns or rows, rather than by office sought;
 - ii. positions candidates on the ballot automatically based upon a ballot draw among candidates for a different office;
 - iii. places candidates such that there is an incongruous separation from other candidates running for the same

office;

- iv. places candidates underneath another candidate running for the same office, where the rest of the candidates are listed horizontally, or to the side of another candidate running for the same office, where the rest of the candidates are listed vertically; and
 - v. bracketing candidates together on the ballot such that candidates for different offices are featured on the same column (or row) of the ballot;
- (b) Defendants are enjoined from conducting draws for ballot positions that do not include a separate drawing for every office and candidate, and where every candidate running for the same office has an equal chance at the first ballot position; and
- (c) Defendants are required to use a ballot for all voters, whether mail-in, at a polling site, or otherwise, that is organized by office sought (commonly known as a “office-block ballot,”) rather than by column or row, and which implements for each office on the ballot, a randomized ballot order system (e.g. random draw) which affords each candidate for the same office an equal chance at obtaining the first ballot position.
4. The Court waives the requirement to post bond or security under Fed. R. Civ. P. 65(c).
5. The Court retains jurisdiction of this matter for the purpose of ensuring compliance.

Date: March 29, 2024


ZAIID N. QURAISHI
UNITED STATES DISTRICT JUDGE