

**STATE OF MICHIGAN
IN THE COURT OF CLAIMS**

**REPUBLICAN NATIONAL
COMMITTEE, MICHIGAN
REPUBLICAN PARTY, NATIONAL
REPUBLICAN CONGRESSIONAL
COMMITTEE, DENNIS GROSSE,
BLAKE EDMONDS, and CINDY BERRY,**

Plaintiffs,

v.

JOCELYN BENSON, in her official
capacity as the duly elected **SECRETARY
OF STATE**, and **JONATHAN BRATER**, in
his official capacity as the **DIRECTOR OF
ELECTIONS**,

Defendants.

Case No. 24-000041-MZ

Hon. Christopher P. Yates

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**[05/06/2024] MOTION OF THE DEMOCRATIC NATIONAL COMMITTEE FOR
LEAVE TO FILE AMICUS CURIAE BRIEF**

The Democratic National Committee (“DNC”) respectfully moves this Court for leave to file an amicus curiae brief. In support of this motion, the DNC states as follows:

1. The DNC, a national political party committee as defined in 52 USC 30101, represents a diverse group of Democrats, including elected officials, candidates for elected office, state committee members, advisory caucuses, affiliate groups, grassroots activists, and voters. Its mission is to elect Democratic Party candidates to positions across the country, including in Michigan, up and down the ticket.

2. The DNC’s organizational purposes and functions also include protecting the legal rights of voters, ensuring that eligible voters can easily and securely cast their votes, including through absent voter ballots, and making sure that voters who wish to vote for Democratic candidates are not unfairly disenfranchised by inconsistent or inequitable application of laws relating to the verification of signatures on absent voter ballots and ballot applications.

3. The DNC therefore has an interest in preserving and promoting the existence of free and fair elections that ensure that all eligible voters can have their votes counted, including voters who vote absentee. Since Michigan voters overwhelmingly approved major voting rights amendments to the state Constitution in 2018 and 2022, millions of Michiganders have used the absentee voting system to cast their votes safely and securely for Democratic candidates, including during the 2020 presidential contest. The DNC anticipates that many voters will do the same during the November 2024 general election.

4. To that end, the DNC has an interest in supporting local clerks’ uniform application of standards for evaluating signatures on absent voter ballots and ballot applications, which in turn promotes a fair and efficient voting process. The DNC also supports the Secretary’s ability to issue and promulgate instructions regarding review of signatures consistent with Michigan’s

Election Law, which facilitates the review and processing of absent voter ballots and applications by local clerks in a consistent manner.

5. The DNC respectfully asks, and hereby moves, the Court to grant it leave to file an amicus brief addressing these important issues. A copy of the DNC’s proposed amicus curiae brief is attached to this motion.

6. On April 29, 2024, and again on May 2, 2024, counsel for the DNC sought concurrence in this motion from counsel for the parties via email, including an explanation of the substance of the DNC’s brief. Counsel for Defendants stated that Defendants do not concur but do not object to the DNC’s amicus filing. Counsel for Plaintiffs declined concurrence because that “will depend on the scope and substance of the DNC’s corresponding brief, so Plaintiffs are not appropriately situated to take a position on the motion at this time.”

WHEREFORE, the Democratic National Committee respectfully requests that the Court grant its request to participate as amicus curiae and accept the attached proposed brief for filing.

Respectfully submitted,

Miller, Canfield, Paddock and Stone, P.L.C.

By: /s/Scott R. Eldridge

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Dated: May 6, 2024

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2024, I electronically filed the foregoing document with the Clerk of the Court using the electronic filing system, which will send notification of such filing to all counsel of record.

By: /s/Scott R. Eldridge
Scott R. Eldridge (P66452)

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