

**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,

Case No. 24-000041-MZ

Hon. Christopher P. Yates

Plaintiffs,

v

JOCELYN BENSON, in her official  
capacity as Secretary of State, and  
JONATHAN BRATER, in his official  
capacity as Director of Elections,

Defendants.

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At a session of said Court held this 30<sup>th</sup> day of July,  
2024, in the City of Lansing, County of Ingham,  
State of Michigan

PRESENT: \_\_\_\_\_

Hon. Christopher P. Yates  
Judge, Court of Claims

**FINAL ORDER & JUDGMENT**

This matter having been brought before the Court on Plaintiffs' 04/22/2024 Motion for Summary Disposition under MCR 2.116(I)(1) and Declaratory Judgment under MCR 2.605, and also Defendants' 04/22/2024 Motion for Summary Disposition; the Motions having been fully briefed; oral argument having been held on May 13, 2024; and the Court being otherwise fully advised in the premises;

**IT IS HEREBY ORDERED** that Plaintiffs' 04/22/2024 Motion for Summary Disposition under MCR 2.116(I)(1) and Declaratory Judgment under MCR 2.605 is GRANTED IN PART AND DENIED IN PART for the reasons stated in the Court's June 12, 2024, Opinion and Order Granting Partial Declaratory Relief; and

**IT IS FURTHER ORDERED** that Defendants' 04/22/2024 Motion for Summary Disposition is GRANTED IN PART AND DENIED IN PART for the reasons stated in the Court's June 12, 2024 Opinion and Order Granting Partial Declaratory Relief such that Counts IV and V of Plaintiffs' Verified Complaint are dismissed with prejudice; and

**IT IS HEREBY DECLARED** under MCR 2.605 that (a) the "initial presumption" of validity in signature verification of absentee-ballot applications and envelopes mandated by the December 2023 guidance manual issued by Defendants is incompatible with the Constitution and laws of the State of the Michigan, and (b) the catch line referring to an "initial presumption of validity" in R 168.22 of the Michigan Administrative Code is incompatible with the Constitution and laws of the State of Michigan; and

**IT IS FURTHER ORDERED** that Plaintiff's request for declaratory relief as to R 168.24 is denied because the Court has concluded that R. 168.24 is permissible under the Michigan Constitution and the law of the State of Michigan in all respects; and

**IT IS FURTHER ORDERED** that because the Court has ruled in Plaintiffs' favor on the merits in addressing the guidance manual, the Court need not consider whether the guidance manual was promulgated in violation of the APA, and Count III of Plaintiffs' Verified Complaint is dismissed without prejudice; and

**IT IS FURTHER ORDERED** that all provisions mandating a presumption of validity in signature verification of absentee-ballot applications and envelopes shall be excised from all of Defendants' guidance materials; and

**IT IS FURTHER ORDERED** that—consistent with this Court's June 12, 2024 Opinion and Order—the Defendants shall submit a request to the Michigan Office of Administrative Hearings and Rules (MOAHR) to remove the phrase “initial presumption of validity” from the catch line for R. 168.22.

**IT IS SO ORDERED.**

Entry of this Final Order and Judgment resolves the last pending claim and closes this case.

Date: 7/30/24

A handwritten signature in blue ink, appearing to read "Chris Yates", is written over a horizontal line.

Hon. Christopher P. Yates  
Judge, Court of Claims

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