

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

**GET LOUD ARKANSAS; VOTE.ORG;
NIKKI PASTOR; and TRINITY “BLAKE”
LOPER**

PLAINTIFFS

VS.

CASE NO. 5:24-CV-05121-TLB

**JOHN THURSTON; SHARON BROOKS;
JAMIE CLEMMER; BILENDA HARRIS-
RITTER; WILLIAM LUTHER; JAMES
HARMON SMITH, III; and JONATHAN
WILLIAMS, in their official capacities as
Commissioners of the Arkansas State Board
of Election Commissioners; BETSY
HARRELL, in her official capacity as
Benton County Clerk; BECKY
LEWALLEN, in her official capacity as
Washington County Clerk; and TERRI
HOLLINGSWORTH, in her official
capacity as Pulaski County Clerk**

DEFENDANTS

**RESPONSE TO PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION
OF SEPARATE DEFENDANT BETSY HARRELL**

Comes now, Separate Defendant Betsy Harrell, in her official capacity as Benton County Clerk (Benton County, Arkansas), by and through undersigned counsel, and for her Response to Plaintiffs’ Motion for Preliminary Injunction, states:

Although the Plaintiffs’ Motion for Preliminary Injunction seeks injunctive relief against all Defendants, the arguments in support of their Motion appear to be directed toward the actions of the Arkansas Secretary of State. To the extent that a response is required by Separate Defendant

Betsy Harrell, the motion must be denied. A party seeking a preliminary injunction under Fed. R. Civ. P. 65 “must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” *Winters v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008). The Plaintiffs have failed to prove a likelihood of success on the merits as to Betsy Harrell, in her official capacity, for the reasons set forth in Separate Defendant’s pending Motion to Dismiss and Brief in Support, which are incorporated herein by reference pursuant to Fed. R. Civ. P. 10(c). (ECF Nos. 39 and 40).

WHEREFORE, Separate Defendant Betsy Harrell, in her official capacity, respectfully requests that the Court deny the Plaintiffs’ Motion for Preliminary Injunction and for all other relief, both in law and in equity, to which the Court determines she is justly entitled.

Respectfully submitted,

Betsy Harrell, in her official capacity as
Benton County Clerk (Benton County, Arkansas)
SEPARATE DEFENDANT

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CERTIFICATE OF SERVICE

I, Thomas N. Kieklak, do hereby certify that on the 25th of July, 2024, a true and correct copy of the above and foregoing was filed with the Clerk of the Court via CM/ECF, which shall send notification of the same to all counsel of record.

Thomas N. Kieklak

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