

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

ETERNAL VIGILANCE ACTION,
INC., SCOT TURNER, and JAMES
HALL,

Plaintiffs,

v.

STATE OF GEORGIA,

Defendant,

Civil Case No. 24CV011558

**[PROPOSED] ANSWER BY THE REPUBLICAN NATIONAL
COMMITTEE AND GEORGIA REPUBLICAN PARTY**

Thomas R. McCarthy*
Gilbert C. Dickey*
Conor D. Woodfin*
CONSOVOY MCCARTHY PLLC
1600 Wilson Boulevard, Ste. 700
Arlington, VA 22209

Alex B. Kaufman
Georgia Bar No. 13607
CHALMERS, ADAMS, BACKER &
KAUFMAN, LLC
11770 Haynes Bridge Road #205-219
Alpharetta, GA 30009-1968

William Bradley Carver, Sr.
Georgia Bar No. 115529
HALL BOOTH SMITH, P.C.
191 Peachtree Street NE, Ste. 2900
Atlanta, GA 30303

Baxter D. Drennon
Georgia Bar No. 241446
HALL BOOTH SMITH, P.C.
200 River Market Avenue, Ste. 500
Little Rock, AR 72201

**pro hac vice forthcoming*

Proposed Intervenor—the Republican National Committee and the Georgia Republican Party, Inc.—answer the Plaintiffs’ complaint. Unless expressly admitted below, every allegation in the complaint is denied. Accordingly, Intervenor state:

INTRODUCTION

1. The rules adopted by the Georgia State Election Board speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required. Intervenor deny that Plaintiffs are entitled to relief.

PARTIES

2. The cited statute speaks for itself. The portion of the paragraph asserting that Plaintiff Eternal Vigilance Action, Inc. has standing is a legal conclusion to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the other allegations made in the paragraph.

3. The portion of the paragraph claiming that Plaintiff Scot Turner has standing is a legal conclusion to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the other allegations made in the paragraph.

4. The portion of the paragraph claiming that Plaintiff James Hall has standing is a legal conclusion to which no response is required. Intervenor otherwise lack sufficient information to admit or deny the other allegations made in the paragraph.

5. The cited statutes and constitutional provisions speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

SUBJECT MATTER JURISDICTION

6. The cited statutes and constitutional provisions speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

VENUE AND PERSONAL JURISDICTION

7. The cited statutes and constitutional provisions speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

FACTUAL AND LEGAL BACKGROUND

8. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

9. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

10. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

11. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

12. This paragraph contains legal conclusions to which no response is required.

13. The cited constitutional provision speaks for itself.

14. The cited authority speaks for itself.

15. The cited authority speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

16. The cited authority speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

17. The cited authorities speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

18. The cited authorities speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

19. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

20. Admit.

21. The cited statute speaks for itself.

22. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

23. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

24. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

25. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

26. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

27. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

28. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

29. The cited statute speaks for itself.

30. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

31. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

32. This paragraph consists of legal conclusions to which no response is required.

33. This paragraph consists of legal conclusions to which no response is required.

34. Intervenors admit that the SEB passed some rules or amendments by a 3-2 vote. The remaining allegations of this paragraph are legal conclusions to which no response is required.

35. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

36. The cited statutes speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

37. This paragraph consists of legal conclusions to which no response is required.

38. This paragraph consists of legal conclusions to which no response is required.

39. This paragraph consists of legal conclusions to which no response is required.

40. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

41. This paragraph consists of legal conclusions to which no response is required.

42. This paragraph consists of legal conclusions to which no response is required.

43. This paragraph consists of legal conclusion to which no response is required.

44. This paragraph consists of legal conclusions to which no response is required.

45. This paragraph consists of legal conclusions to which no response is required.

46. This paragraph consists of legal conclusions to which no response is required.

47. The cited rule speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.

48. The paragraph consists of legal conclusions to which no response is required.

49. The cited authorities speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

50. This paragraph consists of legal conclusions to which no response is required.

51. This paragraph consists of legal conclusions to which no response is required.

52. This paragraph consists of legal conclusions to which no response is required.

53. The cited rule speaks for itself.

54. The cited statute speaks for itself. The rest of the allegations in this paragraph are legal conclusions to which no response is required.

55. The cited statutes and regulations speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

56. This paragraph consists of legal conclusions to which no response is required.

57. This paragraph consists of legal conclusions to which no response is required.

58. This paragraph consists of legal conclusions to which no response is required.

59. This paragraph consists of legal conclusions to which no response is required.

60. This paragraph consists of legal conclusions to which no response is required.

COUNT I

61. Intervenors incorporate their prior responses.

62. Intervenors deny that Plaintiffs are entitled to relief.

COUNT II

63. Intervenors incorporate their prior responses.

64. Intervenors deny that Plaintiffs are entitled to relief.

COUNT III

65. Intervenors incorporate their prior responses.

66. Intervenors deny that Plaintiffs are entitled to relief.

COUNT IV

67. Intervenors incorporate their prior responses.

68. Intervenors deny that Plaintiffs are entitled to relief.

COUNT V

- 69. Intervenor incorporate their prior responses.
- 70. Intervenor deny that Plaintiffs are entitled to relief.
- 71. Intervenor deny that Plaintiffs are entitled to relief.

COUNT VI

- 72. Intervenor incorporate their prior responses.
- 73. Intervenor deny that Plaintiffs are entitled to relief.
- 74. Intervenor deny that Plaintiffs are entitled to relief.

COUNT VII

- 75. Intervenor incorporate their prior responses.
- 76. The cited rule and statute speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required
- 77. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.
- 78. The cited statute speaks for itself. The remaining allegations in this paragraph are legal conclusions to which no response is required.
- 79. This paragraph consists of legal conclusions to which no response is required.
- 80. Intervenor deny that Plaintiffs are entitled to relief.

COUNT VIII

- 81. Intervenor incorporate their prior responses.

82. The cited rule and statute speak for themselves. The remaining allegations in this paragraph are legal conclusions to which no response is required.

83. This paragraph consists of legal conclusions to which no response is required.

84. This paragraph consists of legal conclusions to which no response is required..

85. This paragraph consists of legal conclusions to which no response is required.

86. Intervenors deny that Plaintiffs are entitled to relief.

COUNT IX

87. Intervenors incorporate their prior responses.

88. The cited rule and statute speak for themselves. The remaining allegations in this paragraph consist of legal conclusions to which no response is required.

89. This paragraph consists of legal conclusions to which no response is required.

90. This paragraph consists of legal conclusions to which no response is required.

91. This paragraph consists of legal conclusions to which no response is required.

92. Intervenors deny that Plaintiffs are entitled to relief.

COUNT X

93. Intervenor's incorporate their prior responses.

94. Intervenor's deny that Plaintiffs are entitled to relief.

RESPONSE TO PRAYER FOR RELIEF

Intervenor's deny that Plaintiffs are entitled to their requested relief.

AFFIRMATIVE DEFENSES

1. Plaintiffs' claims are not justiciable.
2. The allegations in the complaint fail to state claim.
3. Plaintiffs are barred from obtaining the requested relief with an election impending.

Respectfully submitted this 26th day of September, 2024.

/s/ William Bradley Carver, Sr.

Thomas R. McCarthy*
Gilbert C. Dickey*
Conor D. Woodfin*
CONSOVOY MCCARTHY PLLC
1600 Wilson Boulevard
Suite 700
Arlington, VA 22209
(703) 243-9423
tom@consovoymccarthy.com
gilbert@consovoymccarthy.com
conor@consovoymccarthy.com

**pro hac vice forthcoming*

William Bradley Carver, Sr.
Georgia Bar No. 115529
HALL BOOTH SMITH, P.C.
191 Peachtree Street NE
Suite 2900
Atlanta, GA 30303
(404) 954-5000
BCarver@hallboothsmith.com

Baxter D. Drennon
Georgia Bar No. 241446
HALL BOOTH SMITH, P.C.
200 River Market Avenue
Suite 500
Little Rock, AR 72201
(501) 319-6996
BDrennon@hallboothsmith.com

Counsel for Applicants

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of September, 2024, a true and correct copy of the foregoing **[PROPOSED] ANSWER BY THE REPUBLICAN NATIONAL COMMITTEE AND GEORGIA REPUBLICAN PARTY** was electronically filed with the Court using the Court's eFileGA electronic filing system, which will automatically send an email notification of such filing to all attorneys of record, and was additionally served by emailing a copy to the currently known counsel of named parties and proposed intervenors as listed below:

Wright Banks
Chief Deputy of the Office of the
Attorney General
wbanks@law.ga.gov

Kristyn Long
Executive Counsel in the Office of
Governor Brian Kemp
kristyn.long@georgia.gov

Elizabeth Young
Senior Assistant Attorney General
eyoung@law.ga.gov

Attorneys for Defendant

Christopher S. Anulewicz
Georgia Bar No. 020914
canulewicz@bradley.com

Jonathan R. DeLuca
Georgia Bar No. 228413
jdeluca@bradley.com

Wayne R. Beckermann
Georgia Bar No. 747995
wbeckermann@bradley.com

Marc James Ayers
Pro hac to be applied for
mayers@bradley.com

Counsel for Plaintiffs

/s/ William Bradley Carver, Sr.