IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

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

Plaintiffs, Civil Action File No. 24CV01158

v.

STATE OF GEORGIA,

Defendant.

MOTION OF GEORGIA DEMOCRACY TASK FORCE FOR LEAVE TO FILE A BRIEF OF *AMICUS CURIAE* IN SUPPORT OF PLAINTIFFS' FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Amicus Curiae, Georgia Democracy Task Force, respectfully moves the Court for leave to file a brief as *amicus curiae* in support of Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief in the above captioned matter.

The Georgia Democracy Task Force ("Task Force") is a bipartisan group, primarily composed of lawyers, whose aim is to defend the rule of law in the administration of elections. It is the hope of our group to bolster voter confidence – which is essential for the effective functioning of democracy - by safeguarding the integrity and the non-partisan administration of elections. Amicus submitted comments to the Georgia State Election Board in opposition to the new rules before their adoption and now brings its concerns to this Court.

Accordingly, *Amicus* seeks leave of the Court to file the attached brief that provides important legal and practical context in support of Plaintiffs' strong claim for declaratory and injunctive relief in this matter. *Amicus'* brief explains why recently adopted election rules are not only unlawful but, even if they were found to be lawful, would still merit being enjoined based on the proximity of election day and the disruptive effect that implementation of these recently adopted rules can be expected to have.

This case presents issues that could have significant ramifications for elections this year and beyond. If Plaintiffs' requested relief is denied, this would almost certainly lead to confusion and inconsistent application of the newly adopted election rules, increasing both costs and the risks of error, and casting doubt among the public about the reliability of the election's results in Georgia (and potentially of the election's results nationwide). Such a result would frustrate the efforts of *Amicus* to promote election integrity in Georgia. Georgia courts have granted similarly situated applicants leave to file amicus briefs in cases raising similar issues and seeking similarly expedient relief. *See, e.g.*, Order Granting Leave to File an Amicus Brief, *Republican Nat'l Comm., et al. v. State Elec. Bd., et al.*, CAF No. 2020CV343319 (Fulton County Superior Court) (Dec. 18, 2020).

CONCLUSION

For the reasons set forth above, *Amicus* respectfully requests that the Court grant it leave to file the Amicus Brief attached hereto as Exhibit A, urging the Court to grant Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief.

Respectfully submitted, this 14th day of October, 2024.

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EXHIBIT A

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I. INTRODUCTION

The recent rule changes adopted by the Georgia State Election Board ("SEB") constitute an assault on election integrity. These newly adopted rules plainly conflict with the controlling provisions of the Georgia Election Code as well as with governing judicial precedent. They threaten to throw sand into the gears of the vote tabulation processes and cast doubt on the legitimate outcome of the election. This Court should not reward that effort. It should instead declare these new rules invalid and enjoin their implementation, restoring the rule of law to Georgia elections, as put in place by the Georgia legislature.

II. INTEREST OF AMICUS

The Georgia Democracy Task Force ("Task Force") is a bipartisan group, primarily composed of lawyers, whose aim is to defend the rule of law in the administration of elections. It is the hope of our group to bolster voter confidence – which is essential for the effective functioning of democracy - by safeguarding the integrity and the non-partisan administration of elections. Amicus submitted comments to the Georgia State Election Board in opposition to the new rules before their adoption and now brings its concerns to this Court.

The recently adopted rules of the Georgia State Election Board will not enhance election integrity or accuracy. Nor will they ensure that county election superintendents and boards of elections follow the required procedures to uniformly, properly, and lawfully fulfill their duties. Rather, these newly adopted rules will unnecessarily complicate election administration, run contrary to Georgia law, unnecessarily burden

election workers, and raise further doubt about the competence, judgment, and possible motives of the State Election Board itself, having been promulgated on the eve of the November 2024 general election.

III. SUMMARY OF ARGUMENT

Not only are the recently promulgated rules unauthorized by Georgia's election law, but they are also in direct conflict with it - endangering the integrity of the state's election system and threatening to deprive Georgia citizens of their fundamental right to vote.

Any suggestion that the litigation is premature because the rules can still be implemented consistently with the Legislature's enactments is mistaken. On their face, the challenged rules require election superintendents to take actions that the governing statutes prohibit, or require them to decline to take action that the statutes require them to take.

The extralegal rules promulgated by the Board will wreak havoc in the election process and make it less secure. That threat is especially acute now, because the upcoming election for President and state and local officials is imminent (indeed, early voting in Georgia starts this week) and there is insufficient time to train election officials and workers in the changes in process that the new rules, some of which are not yet effective, demand. It is for good reason that the Attorney General, the Secretary of State, and local election officials – in addition to this Task Force – oppose implementation of these new rules.

Even simply focusing on equitable considerations, those – even standing alone - dictate that the rules be enjoined. The logic of *Purcell v. Gonzalez*, 549 U.S. 1 (2006), is unmistakable and demands application here. New rules enacted on the eve of a national election upset the status quo in an impermissible way – and the logic of *Purcell* is to favor stability and predictability for election rules when an election is imminent. Some of the challenged rules do not even become effective until October 22, 2024, which is only two weeks before Election Day and well after both absentee and Advance Voting have already begun for the November election. Importantly, although these rules are (in our view) clearly illegal, the *Purcell* principle would support enjoining them for stability's stake, regardless of whether they may be later upheld as lawful. Illegality is not required to enjoin them where, as here, their last-minute adoption creates significant harm by disrupting the orderly administration of an election. The interest of election officials in conducting the election consistently, using established processes, also far outweighs the harm of not immediately implementing the new rules (since, if later found to be lawful, rules can be implemented in a thoughtful and well-structured manner – not rushed through in the final days preceding an election).

IV. ARGUMENT

A. The Newly Adopted SEB rules conflict with the Georgia Election Code and Judicial Precedent

Mere weeks before the election for President and other federal and state elective offices, the unelected – and newly appointed – members of the SEB adopted new rules *ostensibly* to clarify the powers and obligations of election superintendents, but which in

fact conflict with controlling statutory and judicial law. This Court should declare them invalid. Below, we highlight our principal concerns about a few of these new rules.

1. SEB Rule 183-1-12-.02 (reasonable inquiry)

The amendment to SEB Rule 183-1-12-.02 injects ambiguity into the definition of certification and represents a fundamental misunderstanding of the nature and role of certification in the election process. The amendment contradicts settled law and the plain words of the statutorily imposed duty under Georgia law to certify election results by a date certain. It also ignores the extensive verification measures that currently exist should there be legitimate grounds for concern. The importance of timely, consistent, and lawful certification of election results by county election boards across Georgia cannot be overstated. This rule's amendment will predictably open the door to county election boards failing to complete their mandatory legal duty to certify election results.

Georgia law leaves no doubt that certification of election results by county election superintendents is a mandatory duty. The proposed definition is contrary to that statutory requirement. O.C.G.A. § 21-2-493(k) states:

> Such returns ***shall be certified*** by the superintendent not later than 5:00 P.M. on the Monday following the date on which such election was held and such returns shall be immediately transmitted to the Secretary of State.

(emphasis added). That same code section tells county boards what to do if they are concerned about the accuracy of their results even after all the post-election verifications are complete. If the election boards discover fraud or error during the extensive post-election verification procedures they are required to undertake, "they shall compute and

certify the votes justly, regardless of any fraudulent or erroneous returns presented, and shall report the facts to the appropriate district attorney for action." O.C.G.A. § 21-2-493(i).

The General Assembly's clear direction that county election superintendents are required to certify - *even if* possible evidence of fraud or error is discovered - is consistent with well-established Georgia law, which prescribes that the courts have the responsibility to make the determination as to whether an election result is invalid. More than a century ago, the Georgia Supreme Court held that an election superintendent has no authority to decline to certify votes because of suspected fraud. *Tanner v. Deen*, 108 Ga. 95, 33 S.E. 832, 835-36 (1899). Superintendents, the court explained, "were not selected for their knowledge of the law," and therefore had no authority to make legal determinations as to the validity of any election returns. *Id.* The court continued:

> Were the law otherwise, it would be within the power of one superintendent to withdraw from his duties, or refuse to sign the certificate, and thus render illegal and void the election in that precinct. If he were a violent partisan, and saw the election going against his party, he might refuse to discharge his duty, and by this conduct perhaps defeat the will of the people in his district or in his county, or possibly even in his state.

Id. at 835. *See also Davis v. Warde*, 155 Ga. 748, 118 S.E. 378, 391-392 (Ga. 1923) ("The canvassing board cannot go behind the returns of the election officers to determine the results of an election . . . . The duties of canvassers are purely ministerial; they perform the mathematical act of tabulating the votes of the different precincts as the returns come to them . . . . The determination as to the result of an election by a canvass

of the returns by the city council is not a judicial act, but is purely a matter of calculation."); *Bacon v. Black,* 162 Ga. 222, 133 S.E. 251, 253 (1926) ("[t]he duties of the managers or superintendents of election who are required by law to assemble at the court-house and consolidate the vote of the county are purely ministerial. The determination of the judicial question affecting the result in such county elections is confined to the remedy of contest as provided by law."); *Thompson v. Talmadge*, 201 Ga. 867, 876-77 (1947) (the 1945 Georgia Constitution imposed on the General Assembly the "mathematical process of adding the number of votes" and, "[t]he General Assembly, as canvassers of the election returns in this case, were subject to the general, if not indeed the universal, rule of law applicable to election canvassers . . . that they are given no discretionary power except to determine if the returns are in proper form and executed by the proper officials and to pronounce the mathematical result, unless additional authority is expressed. They can neither receive nor consider any extraneous information or evidence, but must look only to the contents of the election returns.").

The fact that certification of elections is a mandatory duty under Georgia law is further supported by Georgia law regarding election contests. *See* O.C.G.A. § 21-2-520 *et seq*. Election contests in court are the vehicle to correct an election result if in fact there was any misconduct, fraud, or irregularity that puts the outcome of the election in question. *See* O.C.G.A. § 21-2-522. For an election contest to occur, election boards must *first* complete their mandatory duty of certifying the election. *See* O.C.G.A. § 21-2-524 (petition to contest the election shall be filed within five days after certification).

Refusal of an election board to complete their mandatory duty of certifying election stands in the way of this established mechanism and in fact makes it more difficult to correct an election result in situations where such a remedy would be appropriate. Election contests are the legally established processes for adjudicating elections where facts, not mere surmise, put the result in question. The judicial process offers distinct and obvious advantages in resolving election disputes over the path of county election boards seeking to step into this role. Courts have both the authority and the procedural mechanisms to thoroughly examine evidence, subpoena relevant documents, compel witness testimony under oath, and apply rigorous legal standards in evaluating claims of irregularities or fraud. Judges, as impartial arbiters, can weigh competing claims and evidence in an adversarial setting, ensuring a fair and thorough examination of any election challenges; this not only leads to a better result, but also leads to an outcome that those disappointed in the result still have reason to respect. Simply put, the established judicial process provides a level of scrutiny and due process that cannot be replicated in the certification phase by local election officials. In any case, county election boards do not have a proper role to play in this process, but instead must complete their mandatory duty of certifying results to allow the established process to begin.

Notwithstanding the mandate of the election code and the limited role of canvassers repeatedly recognized by the Georgia Supreme Court, the SEB – by a 3-2 vote – added the following definition of "certify" via SEB Rule 183-1-12-.02:

> (c.2) "Certify the results of a primary, election, or runoff," or words to that effect, means attest, after reasonable inquiry that the tabulation and canvassing of the election are complete and accurate and that the results are a true and accurate accounting of all votes cast in that election.

This redefinition of certification goes beyond the SEB's authority by altering the statutorily imposed structure of elections in Georgia. The amendment threatens to fragment the uniform application of election laws across Georgia, potentially leading to a patchwork of inconsistent practices that could erode public trust and invite legal challenges. Georgia's certification process already marks the culmination of a rigorous computation and canvassing process designed to prevent fraud and ensure fair, legal, and orderly elections. The role of certification, accordingly, is not to re-verify the votes, but to acknowledge the completion of the comprehensive process that has taken place. The amendment defies existing state statutes, injects unnecessary delay and individual subjectivity into the election process, usurps the role of courts in adjudicating election contests, and invites protracted litigation.

Some members of election boards across Georgia have openly expressed their intention to withhold certification of some or all ballots that do not survive their "reasonable inquiry." *See, e.g.,* Plaintiff's Trial Brief in *Adams v. Fulton County, Georgia,* Civil Action No. 24CV011584, at 3-4 ("election superintendents—whether multi-member bipartisan boards or individual judges—must exercise discretion when determining whether election returns are accurate and without mistake, error, or fraud and can be certified as true and correct."). Profound harm is done by upending the well-established process, at the eleventh hour, and inviting confusion and rancor regarding the

certification of votes that is set to take place as a mandatory first step *before* engagement in a careful and deliberate process to weigh – with evidence and judicial safeguards – any perceived irregularities.

2. Rule 183-1-14-.02(18) (absentee ballot)

New Rule 183-1-14-.02(18) prescribes the manner in which absentee votes are received. It states as follows:

> Any absentee ballot drop location, other than the United States Postal Service or authorized and defined drop box under Georgia Law, that receives absentee ballots shall require an absentee ballot form with written documentation, including absentee ballot elector's name, signature and photo ID of the person delivering the absentee ballot, and approved relation to the elector's name on the absentee ballot. An absentee ballot form provided by the Secretary of State shall be completed by the registrar, clerk, deputy, or election official. The form shall serve as a written record of the name of the elector, the name of the person delivering the absentee ballot, the relation to voter, signature of the person depositing the ballot, and type of ID of the person delivering the absentee ballot. The absentee ballot form shall be returned with the absentee ballots and chain of custody forms to the superintendent. Any ballot not included on the recorded absentee ballot form or any ballot delivered without a signed chain of custody shall be considered a provisional absentee ballot. The superintendent shall notify any elector with a provisional ballot immediately and provide information and instructions of how to cure the provisional absentee ballot.

Georgia law provides for no-excuse absentee voting and allows voters multiple ways to return their ballots, including by mail using the United States Postal Service or other common carriers, by personal return, or by allowing an authorized relative or caregiver to personally return. *See* O.C.G.A. § 21-2-385(a). The Code requires only that

the absentee voter "shall print the number of his or her Georgia's drive license or identification card issued pursuant to Article 5 of Chapter 5 of Title 40 in the space provided on the outer oath envelope." No copy of an ID is required. O.C.G.A. § 21-2-385 also provides that "[s]uch envelope shall then be securely sealed, and the elector shall then personally mail or personally deliver the same to the board of registrars or absentee ballot clerk, provided that mailing or delivery may be made by the elector's mother, father, grandparent, aunt, uncle, brother, sister, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, or an individual residing in the household of such elector." No signature and photo ID of the person delivering the ballot is required.[1] Failure to abide by the requirement by the person receiving the ballot at the county or by the person delivering the ballot automatically turns the voter's ballot into a provisional ballot that will not be counted unless it is cured.

The SEB has no constitutional or other legal authority to add to these requirements in a way that changes the role or authority of any superintendent or other person counting and accepting absentee ballots. In the absence of any authority to do so, the amendment places an additional requirement on voters who choose to let an authorized relative or caregiver return their ballot for them. While Georgia law strictly limits who can return an

[1] By exempting only United States Postal Service delivery from the absentee ballot form requirement, the rule requires other common carriers, such as UPS and FedEx, to complete the absentee form in order for the ballot to be counted. A citizen's right to have his or her vote counted should not be conditioned on the willingness of an unrelated, commercial third party to complete the absentee ballot form.

absentee ballot for another voter, it does not place additional requirements on voters who exercise that choice. In imposing the extra burden on citizens who seek to vote by absentee ballot, the SEB has acted far beyond its rulemaking authority. Moreover, promulgating the amendment so close to the election – now just days away from early voting – does not allow the Secretary of State adequately to train counties, and for counties in turn adequately to train every person who may receive an absentee ballot at the county.

3. Rule 183-1-14-02(19) (video surveillance of drop boxes)

New Rule 183-1-14-.02(19) provides as follows:

> At the close of the polls each day during early voting and after the last voter has cast his or her ballot, the poll officials shall initiate video surveillance and recording of a drop box at any early voting location. Such surveillance shall include visual recording of the drop box if there is one located at that site. Any drop box that is not under constant and direct surveillance shall be locked or removed and prohibited from use. Video surveillance may be live-streamed but must be recorded and will be considered part of the election documents and retained as provided in Code Section 21-2-390.

The Election Code says only that "[t]he drop box location shall have adequate lighting and be under constant surveillance by an election official or his or her designee, law enforcement official, or licensed security guard." O.C.G.A. § 21-2-382(c)(1). Nothing in the Election Code permits the video surveillance and recording of a drop box, nor does it permit the even more extreme conclusion that votes placed into a drop box that is not video surveilled (based on a belatedly enacted rule) not be counted at all.

Indeed, when in 2021 the legislature enacted SB 202 authorizing the availability of drop boxes, it expressly declined to adopt the video surveillance requirement that the SEB had included in the emergency COVID rules. The SEB's rule requiring video surveillance of drop boxes is an affront to the will of the General Assembly, imposing new requirements and overriding its statutory framework for what is and is not a proper basis for concluding a vote has been properly cast.

4. Rule 183-1-12-.12(a)(5) (hand counting of ballots)

On September 20, 2024, the SEB amended Rule 183-12-12 to impose new, precinct-level processes. The amendment requires the poll manager and two sworn poll officers to unseal ballot boxes, remove and record the ballots, and have three poll officers independently count them. Once all three counts match, they sign a control document. If discrepancies arise between the hand count and machine-recorded totals, the poll manager must resolve and document the inconsistency. The counted ballots are sealed in labeled and signed containers.

Before it adopted the amendment, the SEB requested an opinion on its legality from the Office of the Attorney General. The Department of Law advised the SEB that the rule would not withstand judicial scrutiny. It opined:

> There are thus no provisions in the statutes cited in support of these proposed rules that permit counting the number of ballots by hand at the precinct level prior to delivery to the election superintendent for tabulation. Accordingly, these proposed rules are not tethered to any statute—and are, therefore, likely the precise type of impermissible legislation that agencies cannot do.

See Memorandum from Elizabeth Young, Senior Assistant Attorney General, to John Fervier, Chair, State Election Board, dated September 19, 2024, at 6. In particular, the Attorney General's Office made clear that the amendment conflicts with the process for tabulating results mandated by statute. The Election Code requires that ballots be delivered to the tabulation center in sealed containers that are verified as not having been broken, whereupon the containers are to be opened, and the ballots removed and prepared for processing by the tabulating machines. O.C.G.A. § 21-2-483(c).

The hand counting rule threatens to undermine the legitimacy of the election process rather than preserve it. It breaks the chain of custody of the ballots by requiring handling by multiple people in a public setting rather than transferring directly to a sealed container and delivering that container to the tabulating center. In so doing, it exposes the process to partisan manipulation or accusations of such nefarious conduct. It adopts a tabulating process – one subject to the variable competence and honesty of mere mortals – that is often less accurate, less efficient, less consistent, and less dependable than machine counts.[2] And in its requirement that the three officers reach the same result before the ballots can be delivered to the tabulation center, it threatens intolerable delay in the reporting of results even without assuming the risk of bad faith actions by an

[2] *See Post-Election Auditing: Effects of Procedure and Ballot Type on Manual Counting Accuracy, Efficiency, and Auditor Satisfaction and Confidence,* Election Law Journal: Rules, Politics and Policy, Vol. 11, No. 1 (March 2012) at https://doi.org/10.1089/elj.2010.0098 (last viewed October 9, 2024) ("[M]anual audits can vary in their accuracy and efficiency, as well as their appearance of validity to the auditors and outside observers. While many argue manual audits are the 'gold standard' by which we must evaluate computerized ballot totals due to the insecure nature of such machines, we must be careful to remember that even the most basic tasks performed by humans can and do introduce error into the process.")

officer (which would, of course, provide an effective veto by a single officer delaying or preventing the tabulation of legally cast votes).

B. The Court Should Declare the New Rules Invalid and Enjoin their Implementation

The patent invalidity of the SEB's rules, adopted just weeks before an election day on which Georgia citizens will cast their votes for President, congressional representatives, and state and local officials, alone is compelling reason for this Court to declare them impermissible and prohibit their implementation. The Attorney General and the Secretary of State have volubly warned that the SEB has promulgated rules here that are in conflict with the General Assembly's Election Code.

But the recognition that the challenged rules are unauthorized by statute does not fully apprehend the threat to the democratic process they pose. Immediately after the SEB promulgated the "reasonable inquiry" rule in August 2024, the Georgia Association of Voter Registration and Election Officials (GAVREO), representing 500 statewide election officials, implored the SEB not to implement them. *See GAVREO Calls on State Elections Board to Pause Future Rule Changes Ahead of Presidential Election* (August 21, 2024) at https://www.democracydocket.com/wp-content/uploads/2024/08/Press-Release.pdf (last viewed October 9, 2024). It warned that "[g]iven the proximity of the election, introducing new rules at this stage would create unnecessary confusion among both the public and the dedicated poll workers and election officials who are critical to ensuring a smooth and efficient voting process." GAVREO's president explained, "We are already in the midst of extensive training preparation for our poll workers and preparing for one of the biggest and most scrutinized elections in years. Any last-minute

changes to the rules risk undermining the public's trust in the electoral process and place undue pressure on the individuals responsible for managing the polls and administering the election. This could ultimately lead to errors or delays in voting, which is the last thing anyone wants."

Notwithstanding GAVREO's alarm and the cautions issued by numerous other officials and experts, the SEB continued to promulgate questionable and potentially unlawful changes to the election processes as recently as September 20, 2024, barely six weeks before the election and mere days before absentee voting was to begin and after many poll workers had already been trained. Implementation of the rules will burden election officials, potentially leading to inaccuracies and delays in reporting results. Additional handling will render ballots more vulnerable to interference, alteration, manipulation, and destruction. Human error and subjectivity will be injected into otherwise tested and reliable processes. Differing conceptions of what constitutes "reasonable inquiry" will certainly affect the process in at least some counties and, therefore, will affect the state's election administration process as a whole.

This Court should step into the breach and prevent the chaos and delay the new SEB rules will engender. Contrary to the objections of the proponents and defenders of the SEB's new rules, the principles announced by the United States Supreme Court in *Purcell v. Gonzalez*, 549 U.S. 1 (2006), do not prevent this Court from acting. *Purcell* held that federal courts generally should avoid intervening in the administration of elections close to the election date. It imposes no limitation on the authority of state courts to order administrative bodies to comply with state constitutional and statutory

requirements, and as noted earlier, the logic of *Purcell* is about avoiding last minute disruptive changes to election rules – not immunizing them from challenge.

Even if one were flip the logic of *Purcell* on its head to argue that it should create a presumption that state courts not exercise equitable jurisdiction to intervene in the administration of elections close to the election day (and as noted above that would be an odd result given that it would incentivize last minute disruptive and even blatantly unlawful changes), such a presumption would be overcome in this case. The *Purcell* presumption is dispelled when "(i) the underlying merits are entirely clear cut in favor of the plaintiff; (ii) the plaintiff would suffer irreparable harm absent the injunction; (iii) the plaintiff has not unduly delayed bringing the complaint to court; and (iv) the changes in question are at least feasible before the election without significant cost, confusion, or hardship." *Merill v. Milligan,* 142 S. Ct. 879 (2022) (Kavanaugh, J., concurring). The SEB's new rules are patently invalid and will cause irreparable harm to the petitioners and the entire Georgia electorate. Petitioners acted with extreme expedition to prevent implementation of the rules, commencing this litigation within days after the SEB adopted the "reasonable inquiry" rule. The SEB will incur no cost if the new rules are enjoined, and citizens will not be exposed to confusion or hardship if the *quo ante* is maintained. As argued above, the principle at the heart of *Purcell* – that changes to the rules and processes governing voting on the eve of an election should be avoided – strongly favors enjoining the SEB's questionable interpretation of the election code rather than providing the SEB with ironclad protection to implement disruptive, unlawful, and

belatedly adopted rules on matters at the core of the right of Georgia voters to cast their votes as the Georgia Legislature intended.

V. CONCLUSION

The United States is founded on the principle that it is a country where the rule of law, not of men, prevails. Nowhere is the preservation of that principle more essential than in the administration of the electoral process by which citizens invest their trust in the persons who wield the governance powers. The SEB's new rules flout the rule of law and imperil the integrity of the system of self-government upon which the country was established and from which it has long prospered. This Court can and should prevent that injury by declaring the rules invalid and enjoining their application.

Respectfully submitted, this 14th day of October, 2024.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing ***MOTION OF GEORGIA DEMOCRACY TASK FORCE FOR LEAVE TO FILE A BRIEF OF AMICUS CURIAE IN SUPPORT OF PLAINTIFFS' FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF*** by electronically filing the same with the Clerk of Court using the Odyssey eFileGA system, which will automatically send email notification of such filing to the attorneys of record.

Respectfully submitted, this 14th day of October, 2024.

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