

PREPARED BY THE COURT

**NEW JERSEY DEMOCRATIC STATE
COMMITTEE,**

Plaintiff,
vs.

**BOARD OF ELECTIONS OF BERGEN
COUNTY, COMMISSIONER OF
REGISTRATIONS/SUPERINTENDENT OF
ELECTIONS, DEBRA M. FRANCICA OF
BERGEN COUNTY, NEW JERSEY and
JOHN DOES 1-5, *in his/her capacity as an
election official in Bergen County, New
Jersey,***

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO. BER-L-7347-25**

CIVIL ACTION

ORDER

FILED

NOV 04 2025

CAROL NOVEY CATUOGNO, A.J.S.C.

THIS MATTER having been opened to the Court by Pem Law LLP (Rajiv D. Parikh, Esq. and Robert J. Garcia, Esq. appearing), counsel for Plaintiff New Jersey Democratic State Committee on a complaint for action in lieu of a prerogative writ with notice to Defendants Board of Elections of Bergen County, Commissioner of Registrations/Superintendent of Elections, Debra M. Francica of Bergen County, New Jersey (Deputy Attorney General Levi Klinger-Christiansen, appearing) on an action in lieu of prerogative writ pursuant to R. 4:69 and with appearances by Dhillon Law Group Inc. (Josiah Contarino, Esq. appearing) on behalf of intervenor New Jersey Republican State Committee and amicus Bromberg Law LLC (Yael Bromberg, Esq. appearing) on behalf of the League of United Latin American Citizens ("LULAC"), on behalf of Democracy Defenders Fund; and for the reasons stated on the record during a hearing of even date, and for good cause shown,

IT IS on this 4th day of **November 2025**,

ORDERED that the 447 mail-in ballots received and set aside by the Bergen County Board of Elections having been not counted due to some nature of deficiency and which the Board of

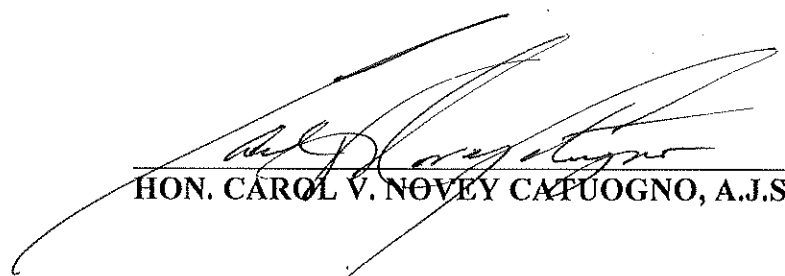
Election Commissioners has been unable to reach a decision regarding whether to reject same, are hereby rejected; and it is further

ORDERED that the Bergen County Board of Elections immediately begin to notify those voters that their mail-in ballot will not be counted and provide the names, addresses, and voter identification number of those voters to the parties so that they may, too, notify the voters that their mail-in ballot will not be counted, so that each voter may report to their polling place to cast a provisional ballot today; and it is further

ORDERED that the Bergen County Board of Elections Commissioners consider whether any or all of these ballots will be subject to a process to cure any deficiency and advise the court, and all parties, immediately as to the outcome of that decision; and it is further

ORDERED in the event the Bergen County Board of Elections Commissioners are unable to reach a decision regarding whether any or all of these ballots will be subject to a process to cure any deficiency, any party to this action may submit additional papers in support of their position by or before 12:00 p.m. on Wednesday, November 5, 2025, and a hearing on the issue will be held before the court at 9:00 a.m. on Thursday, November 6, 2025; and it is further

ORDERED that the 447 mail-in ballots received and set aside by the Bergen County Board of Elections having been not counted due to some nature of deficiency are to be maintained, in their current condition, by the Bergen County Board of Elections, until further ordered by the court.



HON. CAROL V. NOVEY CAPUOGNO, A.J.S.C.