Aseem Mulji (SBN 330354)
amulji@campaignlegalcenter.org
Anna Baldwin* (DC Bar No. 998713)
abaldwin@campaignlegalcenter.org
Sejal Jhaveri* (DC Bar No. 90043488)
sjhaveri@campaignlegalcenter.org
Daniel S. Lenz* (WI Bar No. 1082058)
dlenz@campaignlegalcenter.org
David Kronig* (DC Bar No. 1030649)
dkronig@campaignlegalcenter.org
William Hancock* (DC Bar No. 90002204)
whancock@campaignlegalcenter.org
Heather Szilagyi* (DC Bar No. 90006787)
hszilagyi@campaignlegalcenter.org
Robyn K. Bitner* (DC Bar No. 1617036)
rbitner@campaignlegalcenter.org
CAMPAIGN LEGAL CENTER
1333 New Hampshire Ave. NW, Ste. 300
Washington, DC 20036
(202) 736-2200

Norman L. Eisen* (DC Bar No. 435051)
norman@democracydefenders.org
Tianna Mays* (DC Bar No. 21597)
tianna@democracydefenders.org
Pooja Chaudhuri (SBN 314847)
pooja@democracydefenders.org
Jacki Anderson* (DC Bar No. 1531821)
jacki@democracydefenders.org
Beauregard Patterson* (WI Bar No. 1102842)
beauregard@democracrydefenders.org
Jacob Kovacs-Goodman* (DC Bar No. 90032363)
jacob@democracydefenders.org
DEMOCRACY DEFENDERS FUND
600 Pennsylvania Ave. SE #15180
Washington, DC 20003
(202) 601-8678

Additional counsel on next page

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Kristen M. Clarke** (DC Bar No. 973885)
kclarke@naacpnet.org
Anthony P. Ashton** (MD Bar No. 25220)
aashton@naacpnet.org
Olivia N. Sedwick** (DC Bar No. 1600928)
osedwick@naacpnet.org
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
4805 Mt. Hope Drive
Baltimore, MD 21215
(410) 580-5777

Jonah Lalas (SBN 286755)
jlalas@altber.com
ALTSHULER BERZON LLP
350 W Colorado Blvd.
Pasadena, CA 91105
(323) 963-8693

Stacey M. Leyton (SBN 203827)
sleyton@altber.com
Danielle Leonard (SBN 218201)
dleonard@altber.com
ALTSHULER BERZON LLP
177 Post Street, Suite 300
San Francisco, CA 94108
(415) 421-7151

Counsel for Intervenor-Defendants League of United Latin American Citizens; NAACP; NAACP California/Hawaii State Conference; NAACP Los Angeles Branch

**Admitted pro hac vice*
***Pro hac vice application forthcoming or pending*

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF CALIFORNIA; SHIRLEY WEBER, in her official capacity as the Secretary of State of California; and DEAN LOGAN, in his official capacity as Los Angeles County Registrar-Recorder,

Defendants.

Case No. 2:26-cv-12025-DOC-ADS

INTERVENOR-DEFENDANTS LEAGUE OF UNITED LATIN AMERICAN CITIZENS; NAACP; NAACP CALIFORNIA/HAWAII STATE CONFERENCE; AND NAACP LOS ANGELES BRANCH'S OPPOSITION TO THE UNITED STATES'S RENEWED REQUEST FOR INJUNCTION PENDING APPEAL

Date: None
Time: None
Courtroom: Courtroom 1
Judge: Hon. David O. Carter

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The League of United Latin American Citizens (LULAC), National Association for the Advancement of Colored People, NAACP California/Hawaii State Conference, and NAACP Los Angeles Branch (together, NAACP) (collectively, LULAC/NAACP Intervenor-Defendants) respond as follows to the United States's Renewed Request for Injunction Pending Appeal, ECF No. 153. In addition to the arguments set forth below, the LULAC/NAACP Intervenor-Defendants incorporate by reference their opposition to the Federal Government's original *Ex Parte* Application for a Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue, ECF No. 37-1, and attached declarations, ECF Nos. 37-2, 37-3, as well as the Supplemental Expert Declaration of Kassra A.R. Oskooii, ECF No. 131-1.

A party's request for an injunction pending appeal is subject to much the same standard as a party seeking preliminary relief. *Feldman v. Ariz. Sec'y of State's Off.*, 843 F.3d 366, 367 (9th Cir. 2016); *NetChoice v. Bonta*, 761 F. Supp. 3d 1232, 1234 (N.D. Cal. 2025). As this Court stated in its well-reasoned decision denying the TRO, ECF No. 149, the Federal Government can establish none of the required factors for such an "extraordinary remedy." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008). USDOJ makes no attempt to demonstrate why any of this Court's holdings were misplaced, so its instant motion should be denied for the same reasons. In particular, USDOJ's filing does not even address this Court's carefully considered factual findings that USDOJ's October list is unreliable and lacks credibility and that the requested injunctive relief would cause elections staff throughout California significant administrative burdens, jeopardizing the ability of elections officials to run the election, and cause the disenfranchisement of eligible voters.

Indeed, the *Purcell* issues that required denial of the TRO and that both Judge Bennett and Sanchez discussed in their concurring opinions in the prior appeal in this matter, *United States v. California*, No. 26-7070, 2026 WL 3212945, at *15 (Bennet,

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J., concurring), *id.* at *16-20 (9th Cir. 2026) (Sanchez, J., concurring), are becoming even more acute as election day grows nearer. The risks of disruption to ongoing election processes, and the attendant harms to voters, are only more substantial, which is all the more reason to deny the instant motion for an injunction pending relief. *See Feldman*, 843 F.3d at 367 (explaining *Purcell* is an "additional consideration[] when we consider granting an injunction pending appeal in an election case").

Dated: October 29, 2026

Respectfully submitted,

/s/ Aseem Mulji

Norman L. Eisen* (DC Bar No. 435051)
norman@democracydefenders.org
Tianna Mays* (DC Bar No. 21597)
tianna@democracydefenders.org
Pooja Chaudhuri (SBN 314847)
pooja@democracydefenders.org
Jacki Anderson* (DC Bar No. 1531821)
jacki@democracydefenders.org
Beauregard Patterson* (WI Bar No. 1102842)
beauregard@democracydefenders.org
Jacob Kovacs-Goodman* (DC Bar No. 90032363)
jacob@democracydefenders.org
DEMOCRACY DEFENDERS FUND
600 Pennsylvania Ave. SE #15180
Washington, DC 20003
(202) 601-8678

Kristen M. Clarke** (DC Bar No. 973885)
kclarke@naacpnet.org
Anthony P. Ashton** (MD Bar No. 25220)
aashton@naacpnet.org
Olivia N. Sedwick** (DC Bar No. 1600928)

Aseem Mulji (SBN 330354)
amulji@campaignlegalcenter.org
Anna Baldwin* (DC Bar No. 998713)
abaldwin@campaignlegalcenter.org
Sejal Jhaveri* (DC Bar No. 90043488)
sjhaveri@campaignlegalcenter.org
Daniel S. Lenz* (WI Bar No. 1082058)
dlenz@campaignlegalcenter.org
David Kronig* (DC Bar No. 1030649)
dkronig@campaignlegalcenter.org
William Hancock* (DC Bar No. 90002204)
whancock@campaignlegalcenter.org
Heather Szilagyi* (DC Bar No. 90006787)
hszilagyi@campaignlegalcenter.org
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rbitner@campaignlegalcenter.org
CAMPAIGN LEGAL CENTER
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Washington, DC 20036

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osedwick@naacpnet.org
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
4805 Mt. Hope Drive
Baltimore, MD 21215
(410) 580-5777

(202) 736-2200

Jonah Lalas (SBN 286755)
jlalas@altber.com
ALTSHULER BERZON LLP
350 W Colorado Blvd.
Pasadena, CA 91105
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Stacey M. Leyton (SBN 203827)
sleyton@altber.com
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dleonard@altber.com
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