

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

THE NEW GEORGIA PROJECT,

Plaintiff,

v.

MIKE KAPLAN, in his official capacity as Chair of the Macon-Bibb County Board of Elections; HERBERT SPANGLER, in his official capacity as Vice Chair of the Macon-Bibb County Board of Elections; RINDA WILSON, in her official capacity as a Member of the Macon-Bibb County Board of Elections; HENRY FICKLIN, in his official capacity as a Member of the Macon-Bibb County Board of Elections; CASSANDRA POWELL, in her official capacity as a Member of the Macon-Bibb County Board of Elections,

Defendants.

Civil Action No. 2020-CV-073305

EMERGENCY RELIEF REQUESTED

PLAINTIFF'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Pursuant to O.C.G.A. § 9-11-65, O.C.G.A. § 9-6-20, and O.C.G.A. § 21-2-385, Plaintiff The New Georgia Project ("NGP") hereby moves this Court for an emergency temporary restraining order and writ of mandamus, with an accompanying memorandum of points and authorities filed contemporaneously and a proposed order granting the relief requested herein. Plaintiff requests that the Court consider this Emergency Motion on an expedited basis. This Emergency Motion asks the Court to order Defendants to make certain additional dates available for advance voting as required by Georgia law. The dates in question are quickly approaching. Providing full statutorily-defined advance voting access is crucial to NGP's mission and will ensure that more Georgia voters are enfranchised.

Defendants' failure to comply with the Georgia Election Code limits the ability of Plaintiff's members to cast their vote in the runoff election. If Plaintiff's request is not approved before December 19, 2020—and, indeed, as soon as possible so that the availability of advance voting on that date can be adequately publicized—many voters, including Plaintiff's members and constituents, will be disenfranchised.

WHEREFORE, Plaintiff requests that this Court issue an order requiring Defendants to allow advance voting access on (a) Saturday, December 19, 2020 from 9:00 a.m. to 4:00 p.m.; and (b) during regular business hours on December 31, 2020, and January 4, 2021; and permit any voters seeking to cast their ballots on those dates to vote in compliance with O.C.G.A. § 21-2-385.

Respectfully submitted on this 15th day of December 2020.

KREVOLIN & HORST, LLC

/s/ Adam M. Sparks

Adam M. Sparks
Georgia Bar No. 341578
One Atlantic Center
1201 W. Peachtree Street, NW, Ste. 3250
Atlanta, GA 30309
Telephone: (404) 888-9700
Facsimile: (404) 888-9577
sparks@khlawfirm.com

Marc E. Elias (DC #442007)*
Jyoti Jasrasaria (DC #1671527)*
Joel J. Ramirez (CA # 320047)*
PERKINS COIE LLP
700 Thirteenth Street NW, Suite 800
Washington, DC 20005
(202) 654-6200

William B. Stafford (WA #39849)*
PERKINS COIE LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101
(206) 359-8000

Elise S. Edlin (CA #2937565)*
PERKINS COIE LLP
505 Howard Street, Suite 1000
San Francisco, CA 94105
(415) 344-7000

Attorneys for Plaintiff
The New Georgia Project

**Pro hac vice admission pending*