

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:20-cv-01312-ELR**

Cooper et al v. Raffensperger
Assigned to: Judge Eleanor L. Ross
Cause: 42:1983 Civil Rights Act

Date Filed: 03/26/2020
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff

James L. (Jimmy) Cooper, III
an individual

represented by **Bryan Ludington Sells**
The Law Office of Bryan L. Sells, LLC
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Martin Cowen
an individual

represented by **Bryan Ludington Sells**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Georgia Green Party
an unincorporated political body

represented by **Bryan Ludington Sells**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Brad Raffensperger
*in his official capacity as Secretary of
State of the State of Georgia*

represented by **Charlene S McGowan**
Georgia Attorney General's Office
40 Capitol Square SW
Atlanta, GA 30334
404-656-3389
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/26/2020	<u>1</u>	COMPLAINT filed by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Filing fee \$400, receipt number AGANDC-9524709) (Attachments: # <u>1</u> Civil Cover Sheet)(bnp) Please visit our website at http://www.gand.uscourts.gov/commonly-used-forms to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 03/27/2020)
03/26/2020	<u>2</u>	Electronic Summons Issued as to Brad Raffensperger. (bnp) (Entered: 03/27/2020)
03/27/2020	<u>3</u>	General Order 20-01 re: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. Signed by Judge Thomas W. Thrash, Jr. on 3/16/2020. (bnp) (Entered: 03/27/2020)
04/01/2020	<u>4</u>	WAIVER OF SERVICE Returned Executed by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. Brad Raffensperger waiver mailed on 3/26/2020, answer

		due 5/26/2020. (Sells, Bryan) (Entered: 04/01/2020)
04/01/2020	<u>5</u>	Amended General Order 20-01 re COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 3/30/20. (dgs) (ADI) (Entered: 04/01/2020)
05/01/2020	<u>6</u>	Unopposed MOTION for Leave to File Excess Pages by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Attachments: # <u>1</u> Text of Proposed Order)(Sells, Bryan) (Entered: 05/01/2020)
05/04/2020	<u>7</u>	ORDER granting in part and denying in part <u>6</u> Motion for Leave to File Excess Pages. The page limit for each party's principal brief on the plaintiffs' motion for preliminary injunction shall be thirty-five (35) pages. Signed by Judge Eleanor L. Ross on 5/4/2020. (jap) (Entered: 05/04/2020)
05/04/2020	<u>8</u>	NOTICE FROM THE COURT: INSTRUCTIONS FOR CIVIL CASES ASSIGNED TO THE HONORABLE ELEANOR L. ROSS. (mlb) (Entered: 05/04/2020)
05/04/2020	<u>9</u>	SECOND AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 04/30/2020. (dgs) (ADI) (Entered: 05/04/2020)
05/05/2020	<u>10</u>	NOTICE of Appearance by Charlene S McGowan on behalf of Brad Raffensperger (McGowan, Charlene) (Entered: 05/05/2020)
05/08/2020	<u>11</u>	MOTION for Preliminary Injunction by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Attachments: # <u>1</u> Exhibit 1: Executive Order 03.14.20.01, # <u>2</u> Exhibit 2: Executive Order 03.16.20.01, # <u>3</u> Exhibit 3: Executive Order 03.23.20.01, # <u>4</u> Exhibit 4: Executive Order 03.26.20.02, # <u>5</u> Exhibit 5: Executive Order 04.01.20.01, # <u>6</u> Exhibit 6: Executive Order 04.02.20.01, # <u>7</u> Exhibit 7: Executive Order 04.08.20.02, # <u>8</u> Exhibit 8: Executive Order 04.23.20.02, # <u>9</u> Exhibit 9: Executive Order 04.30.20.01, # <u>10</u> Exhibit 10: Raffensperger announcement of March 14, 2020, # <u>11</u> Exhibit 11: Raffensperger announcement of March 24, 2020, # <u>12</u> Exhibit 12: Raffensperger announcement of April 9, 2020, # <u>13</u> Exhibit 13: letter from Harvey to Cowen, # <u>14</u> Exhibit 14: WHO statement, # <u>15</u> Exhibit 15: WHO directors remarks, # <u>16</u> Exhibit 16: Azar determination, # <u>17</u> Exhibit 17: Presidential Proclamation, # <u>18</u> Exhibit 18: Cowen ECF 113, # <u>19</u> Exhibit 19: Cowen ECF 97, # <u>20</u> Exhibit 20: Declaration of Scott Cambers, # <u>21</u> Exhibit 21: Declaration of Jimmy Cooper, # <u>22</u> Exhibit 22: Declaration of Martin Cowen, # <u>23</u> Exhibit 23: Declaration of Hugh Esco, # <u>24</u> Exhibit 24: Declaration of Joe Reed, # <u>25</u> Exhibit Index)(Sells, Bryan) (Entered: 05/08/2020)
05/18/2020	<u>12</u>	Consent MOTION for Extension of Time File Response re: <u>11</u> MOTION for Preliminary Injunction with Brief In Support by Brad Raffensperger. (Attachments: # <u>1</u> Text of Proposed Order)(McGowan, Charlene) (Entered: 05/18/2020)
05/18/2020	<u>13</u>	ORDER granting <u>12</u> Motion for Extension of Time. Defendant shall have up to and including May 29, 2020, to file his response. Signed by Judge Eleanor L. Ross on 5/18/2020. (jap) (Entered: 05/18/2020)
05/26/2020	<u>14</u>	ANSWER to <u>1</u> COMPLAINT by Brad Raffensperger. Discovery ends on 10/23/2020.(McGowan, Charlene) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 05/26/2020)
05/27/2020	<u>15</u>	THIRD AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 05/26/2020. (adg) (ADI) (Entered: 05/27/2020)
05/29/2020	<u>16</u>	Certificate of Interested Persons by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Sells, Bryan) (Entered: 05/29/2020)
05/29/2020	<u>17</u>	RESPONSE in Opposition re <u>11</u> MOTION for Preliminary Injunction filed by Brad Raffensperger. (Attachments: # <u>1</u> Affidavit Exhibit 1: Harvey Declaration, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4)(McGowan, Charlene) (Entered: 05/29/2020)

06/01/2020		Clerks Notation re <u>16</u> Certificate of Interested Persons/Corporate Disclosure Statement by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. Read and approved by District Judge Eleanor L. Ross. (mlb) (Entered: 06/01/2020)
06/03/2020	<u>18</u>	ORDER Setting Hearing on <u>11</u> MOTION for Preliminary Injunction. Motion Hearing set for 6/30/2020 at 09:30 AM in ATLA Courtroom 1708 before Judge Eleanor L. Ross. The Court DIRECTS the Parties to jointly submit, within fourteen (14) days from the date of entry of this order, a joint proposed schedule of the hearing setting forth how much time is requested by each party for oral argument. Signed by Judge Eleanor L. Ross on 6/3/2020. (jpk) (Entered: 06/03/2020)
06/05/2020	<u>19</u>	Unopposed MOTION for Leave to File Excess Pages by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Attachments: # <u>1</u> Text of Proposed Order)(Sells, Bryan) (Entered: 06/05/2020)
06/09/2020	<u>20</u>	ORDER granting <u>19</u> Motion for Leave to File Excess Pages. The page limit for the plaintiffs' reply in support of their motion for a preliminary injunction shall be 22 pages. Signed by Judge Eleanor L. Ross on 6/8/2020. (jpk) (Entered: 06/09/2020)
06/10/2020	<u>21</u>	Joint RESPONSE Regarding Oral Argument re <u>18</u> Order Setting Hearing on Motion filed by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Sells, Bryan) Modified on 6/11/2020 to edit text (jpk). (Entered: 06/10/2020)
06/11/2020	<u>22</u>	REPLY BRIEF in Support of <u>11</u> MOTION for Preliminary Injunction filed by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Attachments: # <u>1</u> Exhibit 25: Executive Order 05.28.20.01, # <u>2</u> Exhibit 26: Executive Order 05.28.20.02, # <u>3</u> Exhibit 27: Declaration of Richard Winger, # <u>4</u> Exhibit 28: Faulkner Complaint, # <u>5</u> Exhibit Index)(Sells, Bryan) Modified on 6/12/2020 to edit event text (jpk). (Entered: 06/11/2020)
06/15/2020		Submission of <u>11</u> MOTION for Preliminary Injunction to District Judge Eleanor L. Ross. (jpk) (Entered: 06/15/2020)
06/23/2020	<u>23</u>	JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Attachments: # <u>1</u> Text of Proposed Order)(Sells, Bryan) (Entered: 06/23/2020)
06/23/2020	<u>24</u>	NOTICE by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party re <u>11</u> MOTION for Preliminary Injunction <i>Notice of Supplemental Authority</i> (Sells, Bryan) (Entered: 06/23/2020)
06/26/2020	<u>25</u>	NOTICE by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party re <u>11</u> MOTION for Preliminary Injunction <i>Second Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit People First v. Secretary of State of Alabama)(Sells, Bryan) (Entered: 06/26/2020)
06/26/2020	<u>26</u>	NOTICE Of Filing by Brad Raffensperger re <u>17</u> Response in Opposition to Motion, <i>Second Declaration of Chris Harvey</i> (Attachments: # <u>1</u> Affidavit)(McGowan, Charlene) (Entered: 06/26/2020)
06/30/2020	<u>27</u>	Minute Entry for proceedings held before Judge Eleanor L. Ross: Motion Hearing held on 6/30/2020 re <u>11</u> MOTION for Preliminary Injunction. Also present during the hearing was Assistant Attorney General Miles Skedsvold. Court called to order. Oral arguments regarding outstanding motion. All issues were taken under advisement with an order forthcoming. Court adjourned. (Court Reporter Penny Condriet) (jpk) (Entered: 06/30/2020)
07/02/2020	<u>28</u>	FOURTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 07/01/2020. (dgs) (ADI) (Entered: 07/02/2020)
07/09/2020	<u>29</u>	ORDER granting in part and denying in part <u>11</u> Motion for Preliminary Injunction. The Court grants Plaintiffs' request for preliminary injunctive relief but declines to impose their invited remedy. The Court ORDERS the Secretary to reduce the relevant signature requirements by 30% for the 2020 general election. Signed by Judge Eleanor L. Ross on 7/9/2020. (jed) (Entered: 07/09/2020)

07/13/2020	<u>30</u>	FIFTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. Signed by Judge Thomas W. Thrash, Jr. on 7/10/2020 (ddm) (ADI) (Entered: 07/13/2020)
07/15/2020	<u>31</u>	SCHEDULING ORDER on the <u>23</u> Joint Preliminary Report and Discovery Plan. Discovery ends on 11/25/2020. Motions for summary judgment due by 12/24/2020. Proposed Pretrial Order due by 12/24/2020, or 30 days after entry of the Court's ruling on any pending motions for summary judgment. Signed by Judge Eleanor L. Ross on 7/15/2020. (jpk) (Entered: 07/15/2020)
08/04/2020	<u>32</u>	SIXTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. Signed by Judge Thomas W. Thrash, Jr. on 08/03/2020. (jpa) (ADI) (Entered: 08/04/2020)
08/11/2020	<u>33</u>	CERTIFICATE OF SERVICE <i>of the Plaintiffs' Initial Disclosures, the Plaintiffs' First Interrogatories to the Defendant, and the Plaintiffs' First Requests for Production</i> by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party.(Sells, Bryan) (Entered: 08/11/2020)
08/21/2020	<u>34</u>	MOTION for Summary Judgment with Brief In Support by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party. (Attachments: # <u>1</u> Exhibit 1: Executive Order 07.31.20.01, # <u>2</u> Exhibit 2: Second Declaration of Hugh Esco, # <u>3</u> Statement of Material Facts)(Sells, Bryan) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 08/21/2020)
08/24/2020	<u>35</u>	CERTIFICATE OF SERVICE <i>of the plaintiffs' expert disclosures</i> by James L. (Jimmy) Cooper, III, Martin Cowen, Georgia Green Party.(Sells, Bryan) (Entered: 08/24/2020)
09/02/2020	<u>36</u>	SEVENTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONAVIRUS. Signed by Judge Thomas W. Thrash, Jr. on 9/1/2020. (dgs) (ADI) (Entered: 09/02/2020)