

APPEAL

**U.S. District Court
Southern District of Ohio (Columbus)
CIVIL DOCKET FOR CASE #: 2:20-cv-02129-EAS-CMV**

Thompson et al v DeWine et al
Assigned to: Judge Edmund A. Sargus
Referred to: Magistrate Judge Chelsey M. Vascura
Demand: \$0
Case in other court: Sixth Circuit Court of Appeals, 20-03526
Cause: 28:1331 Fed. Question

Date Filed: 04/27/2020
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff

Chad Thompson

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Plaintiff

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Plaintiff

Don Keeney

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V.

Intervenor Plaintiff

Ohioans for Raising the Wage

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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V.

Defendant

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Defendant

Amy Acton
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Michael Allan Walton
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Defendant

Frank LaRose
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of State*

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Intervenor

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Intervenor

Laura A Gold

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Intervenor

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Intervenor

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Intervenor

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Date Filed	#	Docket Text
04/27/2020	<u>1</u>	COMPLAINT against All Plaintiffs (Filing fee \$ 400 paid – receipt number: 0648-7441064), filed by Chad Thompson. [ELECTION ISSUE(S) CITED] (Brown, Mark) (Entered: 04/27/2020)
04/27/2020	<u>2</u>	REQUEST for Issuance of Summons. (Attachments: # <u>1</u> Summons Form, # <u>2</u> Summons Form) (Brown, Mark) (Entered: 04/27/2020)

04/27/2020	<u>3</u>	NOTICE by Plaintiff Chad Thompson re <u>1</u> Complaint <i>Civil Cover Sheet</i> (Brown, Mark) (Entered: 04/27/2020)
04/27/2020	<u>4</u>	MOTION for Temporary Restraining Order by Plaintiffs Don Keeney, William T. Schmitt, Chad Thompson. [ELECTION ISSUE(S) CITED] (Attachments: # <u>1</u> Appendix Memorandum of Law In Support of TRO) (Brown, Mark) (Entered: 04/27/2020)
04/28/2020	<u>5</u>	NOTICE of Hearing: Rule 65.1 Telephone Conference set for 4/28/2020 at 10:30 AM via Teleconference before Judge Edmund A. Sargus. (cmw) (Entered: 04/28/2020)
04/28/2020	<u>6</u>	NOTICE of Appearance by Julie M Pfeiffer for Defendants Amy Acton, Richard Mike DeWine, Frank LaRose (Pfeiffer, Julie) (Entered: 04/28/2020)
04/28/2020	<u>7</u>	NOTICE of Appearance by Michael Allan Walton for Defendants Amy Acton, Richard Mike DeWine, Frank LaRose (Walton, Michael) (Entered: 04/28/2020)
04/28/2020	<u>8</u>	Summons Issued as to Amy Acton, Richard Mike DeWine, and Frank LaRose. (daf) (Entered: 04/28/2020)
04/28/2020	<u>9</u>	Minute Entry for proceedings held before Judge Edmund A. Sargus: Rule 65.1 Telephone Conference held on 4/28/2020. The next telephone conference is scheduled for 5/8/2020 at 10:00 a.m. (Court Reporter: Darla Coulter) (cmw) (Entered: 04/28/2020)
04/28/2020	<u>10</u>	NOTICE of Hearing: Telephone Status Conference set for 5/8/2020 at 10:00 AM via Teleconference before Judge Edmund A. Sargus. (cmw) (Entered: 04/28/2020)
04/28/2020	<u>11</u>	SUMMONS Returned Executed as to Defendants Amy Acton, Richard Mike DeWine, Frank LaRose. All Defendants. (Attachments: # <u>1</u> Appendix Acton Summons, # <u>2</u> Appendix LaRose) (Brown, Mark) (Entered: 04/28/2020)
04/28/2020	<u>12</u>	ORDER – Memorializing the Rule 65.1 Telephone Conference held 4/28/2020. Signed by Judge Edmund A. Sargus on 4/28/2020. (cmw) (Entered: 04/28/2020)
04/30/2020	<u>13</u>	MOTION to Intervene by Intervenor Parties Ohioans for Secure and Fair Elections, Darlene L English, Laura A Gold, Isabel C Robertson, Ebony Speakes–Hall, Andre Washington, Scott A Campbell, Susan G Ziegler, Hasan Kwame Jeffries, Paul Moke. (Attachments: # <u>1</u> Exhibit A – Declaration of Antonia Dippold–Webb, # <u>2</u> Exhibit B – Mar. 27 Letter from Defendant's office to OSFE's campaign manager) (Levenson, Freda) (Entered: 04/30/2020)
04/30/2020	<u>14</u>	COMPLAINT IN INTERVENTION FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF against Amy Acton, Richard Mike DeWine, Frank LaRose, filed by Laura A Gold, Darlene L English, Ohioans for Secure and Fair Elections, Isabel C Robertson, Scott A Campbell, Ebony Speakes–Hall, Susan G Ziegler, Andre Washington, Hasan Kwame Jeffries, Paul Moke. (Attachments: # <u>1</u> Exhibit A – Declaration of Dr. Reingold, # <u>2</u> Exhibit B – Declaration of Antonia Dippold–Webb) (Levenson, Freda) (Entered: 04/30/2020)
04/30/2020	<u>15</u>	MOTION for Temporary Restraining Order , MOTION for Preliminary Injunction by Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes–Hall, Andre Washington, Susan G Ziegler, Defendant Paul Moke. (Attachments: # <u>1</u> Exhibit Correspondence between Secretary of State's office and OSFE Campaign Director, # <u>2</u> Exhibit B – Declaration of Antonia Dippold–Webb, # <u>3</u> Exhibit C – Declaration of Susan Zeigler, # <u>4</u> Exhibit D– Declaration of Scott Campbell, # <u>5</u> Exhibit E –Declaration of Paul Moke, # <u>6</u> Exhibit F – Declaration of Andre Washington, # <u>7</u> Exhibit G –Declaration of Dr. Reingold, # <u>8</u> Exhibit H – Virginia Order) (Levenson, Freda) (Entered: 04/30/2020)
05/01/2020	<u>16</u>	NOTICE by Plaintiff Chad Thompson re <u>4</u> MOTION for Temporary Restraining Order <i>Supplemental Authority</i> (Brown, Mark) (Entered: 05/01/2020)
05/01/2020	<u>17</u>	MOTION to Intervene by Intervenor Plaintiffs Ohioans for Raising the Wage, Anthony Caldwell, James E. Hayes, David G Latanick, Pierrette M. Talley. (Attachments: # <u>1</u> Exhibit Proposed Intervenor's Complaint, # <u>2</u> Exhibit Proposed Intervenor's Motion for TRO and Preliminary Injunction) (McTigue, Donald) (Entered: 05/01/2020)

05/01/2020	<u>18</u>	NOTICE of Appearance by Donald Joseph McTigue for Intervenor Plaintiffs Anthony Caldwell, James E. Hayes, David G Latanick, Ohioans for Raising the Wage, Pierrette M. Talley (McTigue, Donald) (Entered: 05/01/2020)
05/01/2020	<u>19</u>	Corporate Disclosure Statement by Intervenor Plaintiffs Anthony Caldwell, James E. Hayes, David G Latanick, Ohioans for Raising the Wage, Pierrette M. Talley. (McTigue, Donald) (Entered: 05/01/2020)
05/01/2020	<u>20</u>	RESPONSE to Motion re <u>13</u> MOTION to Intervene , <u>17</u> MOTION to Intervene <i>No Opposition</i> filed by Plaintiffs Don Keeney, William T. Schmitt, Chad Thompson. (Brown, Mark) (Entered: 05/01/2020)
05/01/2020	<u>21</u>	NOTICE of Hearing: Telephone Status Conference set for 5/1/2020 at 02:00 PM via Teleconference before Judge Edmund A. Sargus. (cmw) (Entered: 05/01/2020)
05/01/2020	<u>22</u>	Minute Entry for proceedings held before Judge Edmund A. Sargus and Magistrate Judge Chelsey M. Vascura: Telephone Status Conference held on 5/1/2020. (Court Reporter: Darla Coulter) (cmw) (Entered: 05/01/2020)
05/01/2020	<u>23</u>	NOTICE of Hearing: Telephone Status Conference set for 5/6/2020 at 11:00 AM in Teleconference before Judge Edmund A. Sargus and Magistrate Judge Chelsey M. Vascura. (cmw) (Entered: 05/01/2020)
05/01/2020	<u>24</u>	ORDER Memorializing Telephone Status Conference held on 5/1/2020. Signed by Judge Edmund A. Sargus on 5/1/2020. (cmw) (Entered: 05/01/2020)
05/01/2020	<u>25</u>	Corporate Disclosure Statement by Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Paul Moke, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes-Hall, Andre Washington, Susan G Ziegler. (Levenson, Freda) (Entered: 05/01/2020)
05/01/2020	<u>26</u>	NOTICE of Appearance by Elizabeth Bonham for Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Paul Moke, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes-Hall, Andre Washington, Susan G Ziegler (Bonham, Elizabeth) (Entered: 05/01/2020)
05/01/2020	<u>27</u>	NOTICE of Appearance by David J. Carey for Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Paul Moke, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes-Hall, Andre Washington, Susan G Ziegler (Carey, David) (Entered: 05/01/2020)
05/04/2020	<u>28</u>	ORDER Amending EC No. <u>24</u> Order Memorializing Telephone Conference. Signed by Judge Edmund A. Sargus on 5/4/2020. (cmw) (Entered: 05/04/2020)
05/04/2020	<u>29</u>	ORDER granting <u>13</u> Motion to Intervene and granting <u>17</u> Motion to Intervene. Signed by Judge Edmund A. Sargus on 5/4/2020. (cmw) (Entered: 05/04/2020)
05/04/2020	<u>30</u>	MOTION to Amend/Correct <i>Declaration</i> by Intervenor Plaintiffs Anthony Caldwell, James E. Hayes, David G Latanick, Ohioans for Raising the Wage, Pierrette M. Talley. (Attachments: # <u>1</u> Exhibit Corrected Declaration) (McTigue, Donald) (Entered: 05/04/2020)
05/04/2020	<u>31</u>	ORDER granting <u>30</u> Motion to Amend/Correct. Signed by Judge Edmund A. Sargus on 5/4/2020. (cmw) (Entered: 05/04/2020)
05/05/2020	<u>32</u>	MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$400 paid, receipt number 0648-7452327) of Dale Ho and Alora Thomas by Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Paul Moke, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes-Hall, Andre Washington, Susan G Ziegler. (Attachments: # <u>1</u> Thomas Certificate of Good Standing, # <u>2</u> Ho Certificate of Good Standing) (Levenson, Freda) (Entered: 05/05/2020)
05/05/2020	<u>33</u>	MOTION for Leave to Appear Pro Hac Vice (Filing fee of \$200 paid, receipt number 0648-7452970) of Oliver Hall by Plaintiffs Don Keeney, William T. Schmitt, Chad Thompson. (Brown, Mark) (Entered: 05/05/2020)
05/06/2020	<u>34</u>	NOTICE by Plaintiff Chad Thompson re <u>4</u> MOTION for Temporary Restraining Order <i>Supplemental Authority</i> (Attachments: # <u>1</u> Appendix Esshaki v. Whitmer (6th Cir.

		2020)) (Brown, Mark) (Entered: 05/06/2020)
05/06/2020	<u>35</u>	STIPULATION <i>by All Parties</i> by Plaintiffs Don Keeney, William T. Schmitt, Chad Thompson. (Attachments: # <u>1</u> Exhibit Windham Initiative, # <u>2</u> Exhibit Jacksonville Initiative, # <u>3</u> Exhibit Trimble Initiative, # <u>4</u> Exhibit Glouster Initiative, # <u>5</u> Exhibit Maumee Initiative, # <u>6</u> Exhibit Akron Initiative) (Brown, Mark) (Entered: 05/06/2020)
05/06/2020	<u>36</u>	Order memorializing the Telephone Conference on 5/6/2020 before Judge Edmund A. Sargus, Jr. Signed by Judge Edmund A. Sargus, Jr. 5/6/2020 (Court Reporter Darla Coulter.) (cmw) (Entered: 05/06/2020)
05/06/2020		NOTATION ORDER: The Motions for Admissions Pro Hac Vice of Oliver B Hall, Dale Edwin Ho, and Tiffany Alora Thomas are GRANTED . By Magistrate Judge Chelsey M. Vascura on 5/6/2020. (daf) (Entered: 05/06/2020)
05/07/2020	<u>37</u>	ORDER – The Telephone Status Conferenece set for May 8, 2020 VACATED. Signed by Judge Edmund A. Sargus on 5/7/2020. (cmw) (Entered: 05/07/2020)
05/11/2020	<u>38</u>	MOTION to Exceed Page Limitations <i>for Memorandum in Opposition to Plaintiffs' Motion for Temporary Restraining Order/Preliminary Injunction</i> by Defendants Amy Acton, Richard Mike DeWine, Frank LaRose. (Pfeiffer, Julie) (Entered: 05/11/2020)
05/12/2020	<u>39</u>	NOTATION ORDER – Southern District of Ohio Local Civil Rule 7.2(a)(3) does not, as Defendants suggest, impose a twenty–page limit on briefing. Accordingly, Defendants may, without leave of Court, file a brief that exceeds twenty pages, and Defendants Motion to Exceed Page Limitations (ECF No. <u>38</u>) is DENIED AS MOOT. By Magistrate Judge Chelsey M. Vascura on 5/12/2020. (agm) (Entered: 05/12/2020)
05/12/2020	<u>40</u>	RESPONSE in Opposition re <u>4</u> MOTION for Temporary Restraining Order , <u>15</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Defendants Amy Acton, Richard Mike DeWine, Frank LaRose. (Attachments: # <u>1</u> Exhibit A, Aaffidavit of A.M. Grandjean) (Pfeiffer, Julie) (Entered: 05/12/2020)
05/13/2020	<u>41</u>	REPLY to Response to Motion re <u>4</u> MOTION for Temporary Restraining Order filed by Plaintiffs Don Keeney, William T. Schmitt, Chad Thompson. (Attachments: # <u>1</u> Exhibit Frequently Asked Questions) (Brown, Mark) (Entered: 05/13/2020)
05/14/2020	<u>42</u>	REPLY to Response to Motion re <u>17</u> MOTION to Intervene <i>and</i> MOTION <i>for Temporary Restraining Order and Preliminary Injunction</i> filed by Intervenor Plaintiffs Anthony Caldwell, James E. Hayes, David G Latanick, Ohioans for Raising the Wage, Pierrette M. Talley. (McTigue, Donald) (Entered: 05/14/2020)
05/14/2020	<u>43</u>	REPLY to Response to Motion re <u>15</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Paul Moke, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes–Hall, Andre Washington, Susan G Ziegler. (Levenson, Freda) (Entered: 05/14/2020)
05/19/2020	<u>44</u>	OPINION AND ORDER Granting in Part and Denying in Part [4, 15, 17–2] Motions for Preliminary Injunction. Signed by Judge Edmund A. Sargus on 5/19/2020. (cmw) (Entered: 05/19/2020)
05/20/2020	<u>45</u>	NOTICE OF APPEAL re <u>44</u> Order on Motion for Preliminary Injunction (Filing fee has been paid, receipt number 0648–7473689) by Defendants Amy Acton, Richard Mike DeWine, Frank LaRose. (Pfeiffer, Julie) (Entered: 05/20/2020)
05/20/2020	<u>46</u>	MOTION to Stay re <u>44</u> Order on Motion for Preliminary Injunction by Defendants Amy Acton, Richard Mike DeWine, Frank LaRose. (Pfeiffer, Julie) (Entered: 05/20/2020)
05/21/2020	<u>47</u>	RESPONSE in Opposition re <u>46</u> MOTION to Stay re <u>44</u> Order on Motion for Preliminary Injunction filed by Plaintiffs Don Keeney, William T. Schmitt, Chad Thompson. (Brown, Mark) (Entered: 05/21/2020)
05/21/2020	<u>48</u>	RESPONSE in Opposition re <u>46</u> MOTION to Stay re <u>44</u> Order on Motion for Preliminary Injunction filed by Intervenor Plaintiffs Anthony Caldwell, James E. Hayes, David G Latanick, Ohioans for Raising the Wage, Pierrette M. Talley. (McTigue, Donald) (Entered: 05/21/2020)

05/21/2020	<u>49</u>	RESPONSE in Opposition re <u>46</u> MOTION to Stay re <u>44</u> Order on Motion for Preliminary Injunction filed by Intervenor Parties Scott A Campbell, Darlene L English, Laura A Gold, Hasan Kwame Jeffries, Paul Moke, Ohioans for Secure and Fair Elections, Isabel C Robertson, Ebony Speakes-Hall, Andre Washington, Susan G Ziegler. (Levenson, Freda) (Entered: 05/21/2020)
05/22/2020	<u>50</u>	OPINION AND ORDER Denying <u>46</u> Motion to Stay. Signed by Judge Edmund A. Sargus on 5/22/2020.(cmw) (Entered: 05/22/2020)
05/22/2020	<u>51</u>	USCA Case Number 20-3526 for <u>45</u> Notice of Appeal filed by Amy Acton, Richard Mike DeWine, Frank LaRose. (pb) (Entered: 05/22/2020)
05/26/2020	<u>52</u>	ORDER of USCA as to <u>45</u> Notice of Appeal: The Sixth Circuit GRANTS Defendants' motion for a stay pending appeal and DISMISS as moot their motion for an administrative stay. Note: No Mandate details noted. (er) (Entered: 06/03/2020)