

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

LEAGUE OF WOMEN VOTERS OF OHIO,  
OHIO A. PHILIP RANDOLPH INSTITUTE,  
LASHUNDA LEE, MUNIA MOSTAFA,  
AUDRIANNA VICTORIAN RODRIGUEZ,  
and HANNAH TUVELL,

*Plaintiffs,*

v.

FRANK LAROSE, in his official capacity as  
Secretary of State of Ohio,

*Defendant,*

and

THE OHIO DEMOCRATIC PARTY,

*Proposed Intervenor-Defendant.*

CASE NO. 2:20-cv-1638

JUDGE MICHAEL H. WATSON  
Magistrate Judge Elizabeth Preston Deavers

---

**PROPOSED ANSWER OF INTERVENOR-DEFENDANT  
OHIO DEMOCRATIC PARTY**

---

NOW COMES the Ohio Democratic Party (“ODP”), Proposed Intervenor-Defendant in the above captioned action, and answers Plaintiffs’ Amended Complaint as follows:

1. ODP denies the allegations in Paragraph 1.
2. In response to the allegations in Paragraph 2, ODP states that H.B. 197 speaks for itself.
3. ODP denies the allegations in Paragraph 3 for lack of knowledge.
4. ODP admits the allegations in Paragraph 4 only to the extent that the February 18, 2020 voter registration deadline has not been moved to March 30, 2020.

5. ODP denies the allegations in Paragraph 5 for lack of knowledge.

6. Paragraph 6 is a positional statement of the Plaintiffs to which no admissions or denials are required.

7. ODP admits the allegations in Paragraph 7.

8. ODP denies the allegations in Paragraphs 8-10 for lack of knowledge.

9. ODP admits the allegations in Paragraph 11.

10. ODP denies the allegations in Paragraphs 12-17 for lack of knowledge.

11. ODP admits the allegations in Paragraph 18.

12. In response to the allegations in Paragraphs 19-21, ODP states that the cited statutes speak for themselves.

13. Paragraph 22 is a positional statement of the Plaintiffs to which no admissions or denials are required.

14. In response to the allegations in Paragraph 23, Plaintiffs admit that the Court has jurisdiction over the complaint. The remaining allegations constitute a positional statement of Plaintiffs to which no admissions or denials are required.

15. ODP admits the allegations in Paragraphs 24-35.

16. In response to the allegations in Paragraph 36, ODP states that Defendant Secretary's Directive 2020-06 speaks for itself.

17. ODP admits the allegations in Paragraph 37.

18. In response to the allegations in Paragraph 38, ODP admits that Plaintiffs LWVO and Ohio APRI submitted a brief as amici curiae to the Ohio Supreme Court. As to the remaining allegations, ODP states that the brief of amici curiae speaks for itself.

19. ODP denies the allegations in Paragraph 39 for lack of knowledge.

20. ODP admits the allegations in Paragraphs 40-42.

21. ODP admits the allegations in Paragraph 43, and states further that not only did Ohio General Assembly seek to assert its authority to set the date of the 2020 primary election in the wake of Defendant Secretary's Directive 2020-06, but that the Ohio General Assembly did assert such authority.

22. In response to the allegations in Paragraph 44-46, ODP states that the cited letter from Defendant Secretary speaks for itself.

23. In response to the allegations in Paragraph 47, ODP admits that the OAEO sent a letter to the Ohio Legislature but states that the letter speaks for itself.

24. In response to the allegations in Paragraph 48, ODP admits that the Ohio Legislature passed H.B. 197 on March 25, 2020 but states that H.B. 197 speaks for itself.

25. ODP admits the allegations in Paragraph 49.

26. In response to the allegations in Paragraphs 50-59, ODP states that H.B. 197 speaks for itself

27. ODP admits the allegations in Paragraph 60 only to the extent that the February 18, 2020 voter registration deadline has not been moved to March 30, 2020.

28. ODP denies the allegations in Paragraphs 61-66 for lack of knowledge.

29. ODP denies the allegations in Paragraph 67.

30. In response to the allegations in Paragraph 68, ODP states that the public statements of Defendant Secretary and the OAEO speak for themselves.

31. ODP denies the allegations in Paragraphs 69-71 for lack of knowledge.

32. ODP admits the allegations in Paragraph 72.

33. ODP denies the allegations in Paragraph 73.

34. ODP denies the allegations in Paragraphs 74-81 for lack of knowledge.

35. In response to the allegations in Paragraph 82, ODP states that H.B. 197 speaks for itself.

36. ODP denies the allegations in Paragraphs 83-89 for lack of knowledge.

37. In response to Paragraph 90, the ODP incorporates by reference its responses to Paragraphs 1-89.

38. In response to the allegations in Paragraph 91, ODP states that H.B. 197 speaks for itself.

39. In response to the allegations in Paragraphs 92-93, ODP states that the National Voter Registration Act of 1993 speaks for itself.

40. ODP admits the allegations in Paragraphs 94-95 only to the extent that the February 18, 2020 voter registration deadline has not been moved to March 30, 2020.

41. In response to Paragraph 96, the ODP incorporates by reference its responses to Paragraphs 1-95.

42. In response to the allegations in Paragraph 97, ODP states that the quoted caselaw speaks for itself.

43. ODP denies the allegations in Paragraph 98.

44. In response to the allegations in Paragraph 99, ODP states that H.B. 197 speaks for itself and denies the statements attributed to the OAEO for lack of knowledge.

45. ODP denies the allegations in Paragraphs 100-101 for lack of knowledge.

46. In response to the allegations in Paragraphs 102-103, ODP states that H.B. 197 speaks for itself.

47. In response to the allegations in Paragraphs 104, ODP states that H.B. 197 speaks for itself and denies for lack of knowledge the statements attributed to election officials.

48. ODP denies the allegations in Paragraph 105 for lack of knowledge.

49. ODP denies the allegations in Paragraphs 106.

50. Plaintiffs' Prayer for Relief does not require admissions or denials.

51. Any allegation not expressly admitted by ODP is denied.

Respectfully submitted,

/s/ N. Zachary West

N. Zachary West (0087805), Trial Attorney  
O'CONNOR, HASELEY, & WILHELM LLC  
35 North Fourth Street, Ste. 340  
Columbus, OH 43215  
Phone: (614) 208-4375  
[west@goconnorlaw.com](mailto:west@goconnorlaw.com)

Donald J. McTigue (0022849)  
Derek S. Clinger (0092075)  
McTIGUE & COLOMBO, LLC  
545 E. Town St.  
Columbus, Ohio 43215  
Phone: (614) 263-7000  
[dmctigue@electionlawgroup.com](mailto:dmctigue@electionlawgroup.com)  
[dclinger@electionlawgroup.com](mailto:dclinger@electionlawgroup.com)

*Counsel for Intervenor Ohio Democratic  
Party*

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2020, I caused a true and correct copy of the foregoing document to be served upon all counsel of record registered with the Court's ECF system, by electronic service via the Court's ECF transmission facilities.

Respectfully submitted,

/s/ N. Zachary West

N. Zachary West (0087805)