

**U.S. District Court
District of New Hampshire (Concord)
CIVIL DOCKET FOR CASE #: 1:20-cv-00751-SM**

Frye et al v. Secretary of State, NH, State of et al
Assigned to: Judge Steven J. McAuliffe
Cause: 42:12101 Americans With Disabilities Act

Date Filed: 07/07/2020
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: Federal Question

Plaintiff

Daniel Frye

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

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Plaintiff

Mary Jean Shiner

represented by **Abigail Graber**
(See above for address)
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ATTORNEY TO BE NOTICED

James P. Ziegra
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Pamela E. Phelan
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ATTORNEY TO BE NOTICED

Plaintiff

Jeffrey J. Dickinson

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

James P. Ziegra
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Pamela E. Phelan
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ATTORNEY TO BE NOTICED

Plaintiff

**National Federation of the Blind,
Inc.**

represented by **Abigail Graber**
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ATTORNEY TO BE NOTICED

Greg P. Care
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ATTORNEY TO BE NOTICED

James P. Ziegra

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Pamela E. Phelan

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Plaintiff

**National Federation of the Blind
New Hampshire**

represented by **Abigail Graber**

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ATTORNEY TO BE NOTICED

Greg P. Care

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Plaintiff

Granite State Independent Living

represented by **Abigail Graber**

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ATTORNEY TO BE NOTICED

Greg P. Care

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ATTORNEY TO BE NOTICED

James P. Ziegra

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ATTORNEY TO BE NOTICED

Pamela E. Phelan

(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

Secretary of State, NH, State of
in his official capacity
other
William M. Gardner

represented by **Anthony Galdieri (NHAG)**
Office of the Attorney General (NH)
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ATTORNEY TO BE NOTICED

Defendant

Department of State, NH, State of

represented by **Anthony Galdieri (NHAG)**
(See above for address)
ATTORNEY TO BE NOTICED

Samuel R.V. Garland
(See above for address)
ATTORNEY TO BE NOTICED

Seth Michael Zoracki
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/07/2020	<u>1</u>	NEW CASE/ COMPLAINT Filing fee \$ 400, receipt number ANHDC-2000210 filed by Granite State Independent Living, National Federation of the Blind, Daniel Frye, Jeffrey J. Dickinson, Mary Jean Shiner, National Federation of the Blind New Hampshire. (Attachments: # <u>1</u> Exhibit Stipulation in USDC SDNY Case, # <u>2</u> Exhibit Consent Decree USDC ED Mich Case, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons - Waiver, # <u>5</u> Summons - Waiver, # <u>6</u> Summons - Waiver, # <u>7</u> Summons - Waiver)(Phelan, Pamela) (Entered: 07/07/2020)
07/07/2020	<u>2</u>	Disclosure Statement by Granite State Independent Living disclosing no parent company, no publicly traded company, and no merger agreement. (Phelan, Pamela) (Entered: 07/07/2020)
07/07/2020	<u>3</u>	Disclosure Statement by National Federation of the Blind disclosing no parent company, no publicly traded company, and no merger agreement. (Phelan, Pamela) (Entered: 07/07/2020)
07/07/2020	<u>4</u>	Disclosure Statement by National Federation of the Blind New Hampshire disclosing no parent company, no publicly traded company, and no merger agreement. (Phelan, Pamela) (Entered: 07/07/2020)
07/07/2020	<u>5</u>	Assented to MOTION for Abigail A. Graber to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # ANHDC-2000214.) filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind, National Federation of the Blind New Hampshire, Mary Jean Shiner. (Attachments: # <u>1</u> Exhibit (Affidavit) Affidavit of Abigail Graber)(Phelan, Pamela) (Entered: 07/07/2020)
07/07/2020	<u>6</u>	Assented to MOTION for Gregory Care to Appear Pro Hac Vice (Filing fee \$ 100, Receipt # ANHDC-2000216.) filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind, National Federation of the Blind New Hampshire, Mary Jean Shiner. (Attachments: # <u>1</u> Exhibit (Affidavit))(Phelan, Pamela) (Entered: 07/07/2020)
07/07/2020	<u>7</u>	WITHDRAWN - see doc. no. 29. MOTION for Preliminary Injunction filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind, National Federation of the Blind New Hampshire, Mary Jean Shiner. HEARING REQUESTED. Follow up on Objection on 7/21/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).

		(Attachments: # 1 Memorandum of Law, # 2 Exhibit (Affidavit) Frye Declaration, # 3 Exhibit (Affidavit) Shiner Declaration, # 4 Exhibit (Affidavit) Dickinson Declaration, # 5 Exhibit (Affidavit) Blake NFB Declaration, # 6 Exhibit (Affidavit) Ritcey GSIL Declaration, # 7 Exhibit (Affidavit) Care Declaration with attachments, # 8 Proposed Order)(Phelan, Pamela) Modified on 8/31/2020 to add: withdrawn text (lw). (Entered: 07/07/2020)
07/07/2020		Case assigned to Judge Steven J. McAuliffe. The case designation is: 1:20-cv-751-SM. Please show this number with the judge designation on all future pleadings. (mc) (Entered: 07/08/2020)
07/08/2020		NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click HERE. (mc) (Entered: 07/08/2020)
07/08/2020		NOTICE of ECF Filing Errors re: 5 Assented to MOTION for Abigail A. Graber to Appear Pro Hac Vice, 6 Assented to MOTION for Gregory Care to Appear Pro Hac Vice filed by National Federation of the Blind New Hampshire, Mary Jean Shiner, National Federation of the Blind, Inc., Daniel Frye, Granite State Independent Living, Jeffrey J. Dickinson. Consistent with Supplemental Rules of Electronic Case Filing, affidavits prepared in the context of the litigation shall be filed in electronically converted PDF format and shall contain a /s/ signature for both the signator and the notary/jurat. NO ACTION REQUIRED - FOR INFORMATIONAL PURPOSES ONLY AND MERELY INTENDED TO EDUCATE ALL PARTIES IN THE CASE. If the filing party has any questions concerning this notice, please contact the judge's case manager at 603-225-1423.(lw) (Entered: 07/08/2020)
07/08/2020	8	Summonses and Waivers issued electronically as to Department of State, NH, State of, Secretary of State, NH, State of. NOTICE: Counsel shall print and serve the summonses and waivers and all attachments in accordance with Fed. R. Civ. P. 4. (Attachments: # 1 Notice ECF)(mc) (Entered: 07/08/2020)

07/08/2020	<u>9</u>	WAIVER OF SERVICE Returned Executed as to Secretary of State, NH, State of by All Plaintiffs. Served/Mailed on 7/8/2020. Answer Follow Up on 9/9/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Phelan, Pamela) (Entered: 07/08/2020)
07/08/2020	<u>10</u>	WAIVER OF SERVICE Returned Executed as to Department of State, NH, State of by All Plaintiffs. Served/Mailed on 7/8/2020. Answer Follow Up on 9/9/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Phelan, Pamela) (Entered: 07/08/2020)
07/08/2020		ENDORSED ORDER granting <u>5</u> Motion to Appear Pro Hac Vice. Text of Order: Granted. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Magistrate Judge Andrea K. Johnstone. The clerks office will provide the admitted attorney with instructions on how to obtain access to electronic filing by separate email. The admitted attorney must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of New Hampshire. After obtaining e-filing access, the admitted attorney must file an appearance to begin receiving electronic notices.(mc) (Entered: 07/08/2020)
07/08/2020		ENDORSED ORDER granting <u>6</u> Motion to Appear Pro Hac Vice. Text of Order: Granted. Local counsel shall comply with all obligations required by L.R. 83.2(b) absent order of the court. So Ordered by Magistrate Judge Andrea K. Johnstone. The clerks office will provide the admitted attorney with instructions on how to obtain access to electronic filing by separate email. The admitted attorney must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of New Hampshire. After obtaining e-filing access, the admitted attorney must file an appearance to begin receiving electronic notices.(mc) (Entered: 07/08/2020)
07/09/2020		NOTICE of Hearing. Status Conference, via telephone, set for 7/13/2020 02:30 PM before Judge Steven J. McAuliffe. The court will email the call in information.(lw) (Entered: 07/09/2020)
07/09/2020	<u>11</u>	NOTICE of Attorney Appearance by James P. Ziegler on behalf of Jeffrey J. Dickinson, Daniel Frye, Granite State Independent

		Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner Attorney James P. Zieggra added to party Jeffrey J. Dickinson(pty:pla), Attorney James P. Zieggra added to party Daniel Frye(pty:pla), Attorney James P. Zieggra added to party Granite State Independent Living(pty:pla), Attorney James P. Zieggra added to party National Federation of the Blind New Hampshire(pty:pla), Attorney James P. Zieggra added to party National Federation of the Blind, Inc.(pty:pla), Attorney James P. Zieggra added to party Mary Jean Shiner(pty:pla).(Zieggra, James) (Entered: 07/09/2020)
07/09/2020	<u>12</u>	NOTICE of Attorney Appearance by Seth Michael Zoracki on behalf of Department of State, NH, State of, Secretary of State, NH, State of Attorney Seth Michael Zoracki added to party Department of State, NH, State of(pty:dft), Attorney Seth Michael Zoracki added to party Secretary of State, NH, State of(pty:dft).(Zoracki, Seth) (Entered: 07/09/2020)
07/09/2020	<u>13</u>	NOTICE of Attorney Appearance by Anthony Galdieri (NHAG) on behalf of Department of State, NH, State of, Secretary of State, NH, State of Attorney Anthony Galdieri (NHAG) added to party Department of State, NH, State of(pty:dft), Attorney Anthony Galdieri (NHAG) added to party Secretary of State, NH, State of(pty:dft).(Galdieri (NHAG), Anthony) (Entered: 07/09/2020)
07/09/2020	<u>14</u>	NOTICE of Attorney Appearance by Samuel R.V. Garland on behalf of Department of State, NH, State of, Secretary of State, NH, State of Attorney Samuel R.V. Garland added to party Department of State, NH, State of(pty:dft), Attorney Samuel R.V. Garland added to party Secretary of State, NH, State of(pty:dft).(Garland, Samuel) (Entered: 07/09/2020)
07/10/2020	<u>15</u>	NOTICE of Attorney Appearance by Greg P. Care on behalf of Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner Attorney Greg P. Care added to party Jeffrey J. Dickinson(pty:pla), Attorney Greg P. Care added to party Daniel Frye(pty:pla), Attorney Greg P. Care added to party Granite State Independent Living(pty:pla), Attorney Greg P. Care added to party National Federation of the Blind New Hampshire(pty:pla), Attorney Greg P. Care added to party National Federation of the Blind, Inc.(pty:pla), Attorney Greg P. Care added to party Mary Jean Shiner(pty:pla).(Care, Greg) (Entered: 07/10/2020)

07/10/2020	<u>16</u>	NOTICE of Attorney Appearance by Abigail Graber on behalf of Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner Attorney Abigail Graber added to party Jeffrey J. Dickinson(pty:pla), Attorney Abigail Graber added to party Daniel Frye(pty:pla), Attorney Abigail Graber added to party Granite State Independent Living(pty:pla), Attorney Abigail Graber added to party National Federation of the Blind New Hampshire(pty:pla), Attorney Abigail Graber added to party National Federation of the Blind, Inc.(pty:pla), Attorney Abigail Graber added to party Mary Jean Shiner(pty:pla).(Graber, Abigail) (Entered: 07/10/2020)
07/13/2020		Minute Entry for proceedings held before Judge Steven J. McAuliffe. STATUS CONFERENCE held on 7/13/2020. Defendants to file their response/objection to the Motion for Preliminary Injunction by 7/28/20. Evidentiary hearing to be scheduled 8/25/20 re: preliminary injunction motion. (Court Reporter: Brenda Hancock) (Pltfs Atty: Pamela Phelan, James Ziegra, Greg Care, Abigail Graber) (Defts Atty: Anthony Galdieri, Samuel Garland, Seth Zoracki)(Total Hearing Time: 40 minutes) (lw) (Entered: 07/13/2020)
07/14/2020		NOTICE of Hearing re: <u>7</u> MOTION for Preliminary Injunction. Evidentiary Hearing, via video conference, set for 8/25/2020 10:00 AM before Judge Steven J. McAuliffe.(lw) (Entered: 07/14/2020)
07/28/2020	<u>17</u>	Filed in Error - see doc. no. 18. Assented to MOTION to Extend Time to Object/Respond to <u>7</u> MOTION for Preliminary Injunction to August 4, 2020 filed by Department of State, NH, State of, Secretary of State, NH, State of.(Zoracki, Seth) Modified on 7/29/2020 to add:filed in error test (lw). (Entered: 07/28/2020)
07/29/2020	<u>18</u>	Assented to MOTION to Extend Time to Object/Respond to <u>7</u> MOTION for Preliminary Injunction to August 4, 2020 filed by Department of State, NH, State of, Secretary of State, NH, State of.(Zoracki, Seth) (Entered: 07/29/2020)
07/29/2020		ENDORSED ORDER granting <u>18</u> Assented to Motion to Extend Time to Object/Respond re <u>7</u> Motion for Preliminary Injunction. Text of Order: Granted. So Ordered by Judge Steven J. McAuliffe. Follow up on Objection on 8/4/2020. (lw) (Entered: 07/29/2020)
08/04/2020	<u>19</u>	MOTION to Extend Time to Object/Respond to <u>7</u> MOTION for Preliminary Injunction to August 11, 2020 filed by Department of State, NH, State of, Secretary of State, NH, State of.Follow up on

		Objection on 8/18/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Zoracki, Seth) (Entered: 08/04/2020)
08/04/2020	20	OBJECTION to 19 MOTION to Extend Time to Object/Respond to 7 MOTION for Preliminary Injunction to August 11, 2020 filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. Follow up on Reply on 8/11/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Phelan, Pamela) (Entered: 08/04/2020)
08/06/2020		ENDORSED ORDER granting 19 Motion to Extend Time to Object/Respond re 7 Motion for Preliminary Injunction. Text of Order: Granted. So Ordered by Judge Steven J. McAuliffe. Follow up on Objection on 8/11/2020. (lw) (Entered: 08/06/2020)
08/06/2020	21	Emergency MOTION to Expedite Discovery <i>on Motion for Preliminary Injunction</i> filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner.Follow up on Objection on 8/20/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # 1 Ex. A Notice of Rule 30(b)(6) Deposition of Defendant, # 2 Ex. B Plaintiffs' First Request For Production of Documents, # 3 Ex. C Notice of Rule 30(b)(6) Deposition Democracy Live, # 4 Ex. D Notice of Rule 30(b)(6) Deposition Voting Works)(Phelan, Pamela) (Entered: 08/06/2020)
08/11/2020		ENDORSED ORDER re: 21 Emergency MOTION to Expedite Discovery on Motion for Preliminary Injunction. Text of Order: The objection deadline is August 20, 2020, which is impractical given the hearing schedule. Defendants shall file an objection, if they wish, on or before Friday, August 14, 2020. So Ordered by Judge Steven J. McAuliffe.(lw) (Entered: 08/11/2020)
08/11/2020	22	Assented to MOTION to Exceed Page Limit filed by Department of State, NH, State of, Secretary of State, NH, State of.(Garland, Samuel) (Entered: 08/11/2020)
08/11/2020	23	OBJECTION to 7 MOTION for Preliminary Injunction filed by Department of State, NH, State of, Secretary of State, NH, State of. Follow up on Reply on 8/18/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # 1 Memorandum of Law in

		Support of Objection, # 2 Exhibit (Affidavit) Declaration of David Scanlan)(Garland, Samuel) (Entered: 08/11/2020)
08/12/2020		ENDORSED ORDER granting 22 Assented to Motion to Exceed Page Limit. Text of Order: Granted. So Ordered by Judge Steven J. McAuliffe.(lw) (Entered: 08/12/2020)
08/14/2020	24	OBJECTION to 21 Emergency MOTION to Expedite Discovery on Motion for Preliminary Injunction filed by Department of State, NH, State of, Secretary of State, NH, State of. Follow up on Reply on 8/21/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Garland, Samuel) (Entered: 08/14/2020)
08/17/2020	25	MOTION for Hearing <i>Status Conference</i> filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. HEARING REQUESTED. Follow up on Objection on 8/31/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Phelan, Pamela) (Entered: 08/17/2020)
08/18/2020	26	RESPONSE to Motion re 25 MOTION for Hearing <i>Status Conference</i> filed by Department of State, NH, State of, Secretary of State, NH, State of. (Garland, Samuel) (Entered: 08/18/2020)
08/18/2020	27	Assented to MOTION for Leave to File Reply Memorandum filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. (Attachments: # 1 Exhibit Memorandum in Reply to Objection to Motion for Preliminary Injunction)(Phelan, Pamela) (Entered: 08/18/2020)
08/19/2020		ENDORSED ORDER granting 27 Assented to Motion for Leave to File Reply Memorandum. Text of Order: Granted. Within 48 hours counsel shall electronically refile the pleading attached to the Motion for Leave to File using the appropriate event in CMECF. So Ordered by Judge Steven J. McAuliffe.(lw) (Entered: 08/19/2020)
08/19/2020		ENDORSED ORDER denying 21 Emergency Motion to Expedite Discovery on Motion for Preliminary Injunction. Text of Order: Denied; largely for the reasons given in defendants' memorandum in opposition. Expedited discovery has not been shown to be reasonable or necessary under these circumstances. The issues appear to be straightforward and not particularly fact-dependant; defendants appear to be making substantial progress

		<i>in addressing the concerns underlying this lawsuit and, on balance, diverting them from that effort to instead focus on expedited discovery seems both unwarranted and likely counterproductive; and, offers of proof at the preliminary injunction hearing (scheduled for next week) would seem to suffice. If there is some critical fact issue that could be outcome determinative as explained at the upcoming hearing, then limited discovery on that point may be requested. A status conference will be held on Friday, August 21, 2020. So Ordered by Judge Steven J. McAuliffe.(lw)</i> (Entered: 08/19/2020)
08/19/2020		NOTICE of Hearing. Status Conference, via telephone, set for 8/21/2020 02:30 PM before Judge Steven J. McAuliffe. The court will email the call-in information.(lw) (Entered: 08/19/2020)
08/19/2020	<u>28</u>	REPLY to Objection to Motion re <u>7</u> MOTION for Preliminary Injunction filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. Surreply due by 8/24/2020. (Attachments: # <u>1</u> Exhibit (A) Declaration Karl Groves, # <u>2</u> Exhibit (B) Declaration Gregory P. Care, # <u>3</u> Exhibit (C) Declaration Bryan Finney)(Phelan, Pamela) (Entered: 08/19/2020)
08/21/2020		Minute Entry for proceedings held before Judge Steven J. McAuliffe. STATUS CONFERENCE held on 8/21/2020. Status Conference to be scheduled for 8/28/20 and Evidentiary Hearing to be rescheduled to 8/31/20, if needed. (Pltfs Atty: Pamela Phelan, James Ziegra, Greg Care, Abigail Graber) (Defts Atty: Anthony Galdieri, Samuel Garland, Seth Zoracki)(Total Hearing Time: 21 minutes) (lw) (Entered: 08/21/2020)
08/21/2020		NOTICE of Hearing. Status Conference set for 8/28/2020 10:00 AM, via telephone conference, before Judge Steven J. McAuliffe. The court will email the call-in information.(lw) (Entered: 08/21/2020)
08/21/2020		RESCHEDULING NOTICE of Hearing re: <u>7</u> MOTION for Preliminary Injunction. Evidentiary Hearing set for 8/31/2020 10:00 AM, via video conference, before Judge Steven J. McAuliffe.(lw) (Entered: 08/21/2020)
08/28/2020		Minute Entry for proceedings held before Judge Steven J. McAuliffe. STATUS CONFERENCE held on 8/28/2020. Parties have reached an agreement and are in the process of finalizing. The Evidentiary Hearing scheduled for 8/31 is tentatively cancelled but will be rescheduled to later in the afternoon, if necessary. (Pltfs

		Atty: Pamela Phelan, James Ziegra, Greg Care) (Defts Atty: Anthony Galdieri, Samuel Garland, Seth Zoracki)(Total Hearing Time: 15 minutes) (lw) (Entered: 08/28/2020)
08/30/2020	<u>29</u>	Notice of Withdrawal of Motion: <u>7</u> MOTION for Preliminary Injunction . (Attachments: # <u>1</u> Exhibit (A) Term Sheet)(Phelan, Pamela) (Entered: 08/30/2020)
08/31/2020		ENDORSED ORDER <u>29</u> Notice of Withdrawal of <u>7</u> Motion for Preliminary Injunction. Text of Order: Reviewed. So Ordered by Judge Steven J. McAuliffe.(lw) (Entered: 08/31/2020)
09/04/2020	<u>30</u>	MOTION to Extend Time to Answer to September 22, 2020 filed by Department of State, NH, State of, Secretary of State, NH, State of. Follow up on Objection on 9/18/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Zoracki, Seth) (Entered: 09/04/2020)
09/08/2020	<u>31</u>	NOTICE of No Objection to <i>Defendants' Motion to Extend Time to Answer or Otherwise Respond to Complaint</i> by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner.(Phelan, Pamela) (Entered: 09/08/2020)
09/09/2020		ENDORSED ORDER granting <u>30</u> Motion to Extend Time to Answer re: <u>1</u> Complaint - New Case. Text of Order: Granted. So Ordered by Judge Steven J. McAuliffe. Answer Follow Up on 9/18/2020. (lw) (Entered: 09/09/2020)
09/22/2020	<u>32</u>	MOTION to Dismiss filed by Department of State, NH, State of, Secretary of State, NH, State of. Follow up on Objection on 10/6/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Memorandum of Law Defendants' Memorandum of Law in Support of Their Motion to Dismiss)(Zoracki, Seth) (Entered: 09/22/2020)
09/30/2020		ENDORSED ORDER : Text of Order: No pretrial conference will be scheduled until after resolution of the pending Motion to Dismiss (#32). Given the issues raised in the motion, the court finds good cause to extend the deadline for issuing the scheduling

		<i>order pursuant to Fed. R. Civ. P. 16(b) to after the rescheduled pretrial conference. So Ordered by Judge Steven J. McAuliffe.(lw)</i> (Entered: 09/30/2020)
10/06/2020	33	Replaced - See doc. no. 35. OBJECTION to 32 MOTION to Dismiss filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. Follow up on Reply on 10/13/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # 1 Memorandum of Law, # 2 Exhibit 1 Care Decl and Attachment A)(Phelan, Pamela) Modified on 10/7/2020 to add: replaced text (lw). (Entered: 10/06/2020)
10/06/2020	34	AMENDED COMPLAINT against All Defendants filed by Granite State Independent Living, Jeffrey J. Dickinson, Mary Jean Shiner, Daniel Frye, National Federation of the Blind, Inc., National Federation of the Blind New Hampshire. (Attachments: # 1 Exhibit 1 - U.S. Dist. Ct D. Me. Joint Status Report , # 2 Exhibit 2 - U.S. Dist. Ct E.D. Mich. Consent Decree)(Phelan, Pamela) Modified on 10/7/2020 to add: exhibit descriptions (lw). (Entered: 10/06/2020)
10/07/2020	35	OBJECTION to 32 MOTION to Dismiss filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. Follow up on Reply on 10/14/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # 1 Memorandum of Law CORRECTED, # 2 Exhibit 1 Care Decl and Attachment A)(Phelan, Pamela) (Entered: 10/07/2020)
10/13/2020	36	REPLY to Objection to Motion re 32 MOTION to Dismiss filed by Department of State, NH, State of, Secretary of State, NH, State of. Surreply due by 10/19/2020. (Attachments: # 1 Exhibit (Affidavit) Declaration of David Scanlan, # 2 Attachment to Exhibit Ex. A - Sept. 2019 Letter, # 3 Attachment to Exhibit Ex. B - July 2020 Letter, # 4 Attachment to Exhibit Ex. C - VotingWorks Contract, # 5 Attachment to Exhibit Ex. D - Aug. 2020 Press Release)(Zoracki, Seth) (Entered: 10/13/2020)
10/19/2020	37	SURREPLY to Reply to 32 MOTION to Dismiss filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. (Attachments: # 1 Exhibit 1

		Declaration of Pamela Phelan, # 2 Exhibit 2 Declaration of Daniel Hebert)(Phelan, Pamela) (Entered: 10/19/2020)
10/20/2020	38	MOTION to Strike 34 Amended Complaint, or Otherwise Dismiss for Lack of Jurisdiction filed by Department of State, NH, State of, Secretary of State, NH, State of.Follow up on Objection on 11/3/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Garland, Samuel) (Entered: 10/20/2020)
10/29/2020	39	TRANSCRIPT of Proceedings for Status Conference held on July 13, 2020. Court Reporter: Brenda Hancock, Telephone # 603 225-1454. Transcript is available for public inspection, but may not be copied or otherwise reproduced, at the Clerk's Office for a period of 90 days. Additionally, only attorneys of record and pro se parties with an ECF login and password who purchase a transcript from the court reporter will have access to the transcript through PACER during this 90-day period. If you would like to order a copy, please contact the court reporter at the above listed phone number. NOTICE: Any party who requests an original transcript has 21 days from service of this notice to determine whether it is necessary to redact any personal identifiers and, if so, to electronically file a Redaction Request. Redaction Request Follow Up 11/19/2020. Redacted Transcript Follow Up 11/30/2020. Release of Transcript Restriction set for 1/25/2021.(lw) (Entered: 10/29/2020)
10/30/2020	40	MOTION Take Judicial Notice of or Supplement Briefing with 7/13/2020 Conference Transcript filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. HEARING REQUESTED. Follow up on Objection on 11/13/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # 1 Memorandum of Law in support of Motion)(Phelan, Pamela) (Entered: 10/30/2020)
11/01/2020	41	OBJECTION to 38 MOTION to Strike 34 Amended Complaint, or Otherwise Dismiss for Lack of Jurisdiction filed by Jeffrey J. Dickinson, Daniel Frye, Granite State Independent Living, National Federation of the Blind New Hampshire, National Federation of the Blind, Inc., Mary Jean Shiner. Follow up on Reply

		on 11/9/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # 1 Memorandum of Law, # 2 Exhibit 1 Ziegra Declaration)(Phelan, Pamela) (Entered: 11/01/2020)
11/09/2020	42	MOTION to Extend Time to File Reply to Plaintiffs' Objection to Motion to Strike or Otherwise Dismiss the Amended Complaint filed by Department of State, NH, State of, Secretary of State, NH, State of. Follow up on Objection on 11/23/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Zoracki, Seth) (Entered: 11/09/2020)
11/13/2020	43	REPLY to Objection to Motion re 38 MOTION to Strike 34 Amended Complaint, or Otherwise Dismiss for Lack of Jurisdiction filed by Department of State, NH, State of, Secretary of State, NH, State of. Surreply due by 11/18/2020. (Zoracki, Seth) (Entered: 11/13/2020)
11/13/2020	44	OBJECTION to 40 MOTION Take Judicial Notice of or Supplement Briefing with 7/13/2020 Conference Transcript filed by Department of State, NH, State of, Secretary of State, NH, State of. Follow up on Reply on 11/20/2020. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Zoracki, Seth) (Entered: 11/13/2020)
11/16/2020		ENDORSED ORDER granting 42 Motion to Extend Time to File Reply to Plaintiffs' Objection to Motion to Strike or Otherwise Dismiss the Amended Complaint. Text of Order: Granted. So Ordered by Judge Steven J. McAuliffe.(lw) (Entered: 11/16/2020)

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