

No. 23-13914
(Consolidated with Nos. 23-13916 & 23-13921)

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ALPHA PHI ALPHA FRATERNITY, INC., a nonprofit organization on behalf of members residing in Georgia; SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, a Georgia nonprofit organization; ERIC T. WOODS; KATIE BAILEY GLENN; PHIL BROWN; *et al.*,
Plaintiffs-Appellees,

UNITED STATES OF AMERICA
Intervenors-Appellees,

v.

SECRETARY, STATE OF GEORGIA, in his official capacity
Defendant-Appellant.

On Appeal from the United States District Court
for the Northern District of Georgia
No. 1:21-cv-5537 (Hon. Steve C. Jones)

**UNOPPOSED MOTION TO SUBSTITUTE KENNETH GLENN AS A
PARTY**

DEBO ADEGBILE	CORY ISAACSON (Bar 983797)	SOPHIA LIN LAKIN
ROBERT BOONE	CAITLIN F. MAY (Bar 602081)	ARI J. SAVITZKY
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Counsel for Plaintiffs-Appellees Alpha Phi Alpha Fraternity, Inc. et al. (No. 23-13914)
January 13, 2025

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CERTIFICATE OF INTERESTED PERSONS

Pursuant to Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rules 26.1-1–26.1-3, Appellants *Alpha Phi Alpha, Inc., Sixth District of the African Methodist Episcopal Church, Eric T. Woods, Katie Bailey Glenn, Phil Brown, and Janice Stewart* identify all Counsel, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this appeal:

1. ACLU Foundation, Inc., *Counsel for Plaintiffs-Appellees*;
2. ACLU Foundation of Georgia, Inc., *Counsel for Plaintiffs-Appellees*;
3. Adegbile, Debo P., *Counsel for Plaintiffs-Appellees*;
4. Aiken, D’Ericka, *Counsel for Plaintiffs-Appellees*;
5. Albert M. Pearson LLC, *Counsel for Amicus*;
6. Allensworth, Robert M., *Attempted Amicus*;
7. Alpha Phi Alpha, Inc., *Plaintiff-Appellee*;
8. Arbuthnot, Jacqueline Faye, *Grant Plaintiff-Appellee*;
9. Bokath-Lindell, Noah B., *Counsel for Intervenor*
10. Boone, Robert, *Counsel for Plaintiffs-Appellees*;
11. Bowles, Jasmine, *Amicus*;
12. Boyle Jr., Donald P., *Counsel for Defendant-Appellant*;
13. Brown, Phil, *Plaintiff-Appellee*;

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14. Brown, Theron, *Grant Plaintiff-Appellee*;
15. Bush, Jacquelyn, *Grant Plaintiff-Appellee*;
16. Carr, Christopher, *Counsel for Defendant-Appellant*;
17. Calvo-Friedman, Jennesa, *Former Counsel for Plaintiffs-Appellees*;
18. Cheung, Ming, *Counsel for Plaintiffs-Appellees*;
19. Common Cause, *Amicus*;
20. Conner, Mary Nell, *Grant Plaintiff-Appellee*;
21. Crowell & Moring LLP, *Counsel for Amicus*;
22. Data, Sonika, *Counsel for Plaintiffs-Appellees*;
23. Davis, Alexander S., *Counsel for Amicus*;
24. Dechert LLP, *Counsel for Amicus*;
25. DiGiuseppe, Marisa A., *Counsel for Plaintiffs-Appellees*;
26. Dixit, Anuj, *Counsel for Plaintiffs-Appellees*;
27. Douglas, Maura, *Former Counsel for Plaintiffs-Appellees*;
28. Draper, Paul R, *Former Counsel for Defendant-Appellant*;
29. Election Law Clinic at Harvard Law School, *Amicus*;
30. Elias Law Group LLP, *Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
31. Fair Districts GA, *Amicus*;
32. Flynn, Erin H., *Counsel for Intervenor*;

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33. Ford, Christina Ashley, *Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
34. Freeman, Daniel J., *Counsel for Intervenor*;
35. GALEO Latino Community Development Fund, Inc., *Amicus*;
36. Garabadu, Rahul, *Former Counsel for Plaintiffs-Appellees*;
37. Geaghan-Breiner, Charlotte, *Counsel for Plaintiffs-Appellees*;
38. Geiger, Soren, *Counsel for Amicus*;
39. Genberg, Jack, *Counsel for Amicus*;
40. Georgia Coalition for the People's Agenda, *Amicus*;
41. Georgia Department of Law, *Counsel for Defendant-Appellant*;
42. Georgia State Conference of the NAACP, *Amicus*;
43. Glaze, Ojuan, *Pendergrass Plaintiff-Appellee*;
44. Glenn, Katie Bailey, *Plaintiff-Appellee*;
45. Grant, Annie Lois, *Grant Plaintiff-Appellee*;
46. Graves, Cheryl, *Amicus*;
47. Greenbaum, Jon, *Counsel for Amicus*;
48. Greenwood, Ruth M., *Counsel for Amicus*;
49. Harrison, Keith, *Counsel for Amicus*;
50. Hawley, Jonathan Patrick, *Formal Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
51. Holtzman Vogel, PLLC, *Counsel for Amicus*

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52. Heard, Bradley E., *Counsel for Amicus*;
53. Heaven, Astor H.L., *Counsel for Amicus*;
54. Hennington, Elliott, *Pendergrass Plaintiff-Appellee*;
55. Hessel, Daniel J., *Counsel for Amicus*;
56. Houk, Julie M., *Counsel for Amicus*;
57. Howell, Quentin T., *Grant Plaintiff-Appellee*;
58. Isaacson, Cory, *Counsel for Plaintiffs-Appellees*;
59. Ivey, Marvis McDaniel, *Amicus*;
60. Jacoutot, Bryan Francis, *Counsel for Defendant-Appellant*;
61. Jackson, Toni Michelle, *Counsel for Amicus*;
62. James, Triana Arnold, *Grant and Pendergrass Plaintiff-Appellee*;
63. Jamieson, Nathan, *Counsel for Amicus*;
64. Jones, Michael Brandon, *Former Counsel for Grant and Pendergrass Plaintiffs- Appellees*;
65. Jones, Steve C., *District Court Judge*;
66. Kastorf Law LLP, *Counsel for Amicus*;
67. Kastorf, Kurt, *Counsel for Amicus*;
68. Khanna, Abha, *Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
69. Kim, Eliot, *Counsel for Plaintiffs-Appellees*;
70. Kim, Taeyoung, *Counsel for Plaintiffs-Appellees*;

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71. Krevolin & Horst LLC, *Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
72. LaCour, Edmund, *Counsel for Amicus*;
73. Lakin, Sophia Lin, *Counsel for Plaintiffs-Appellees*;
74. LaRoss, Diane Festin, *Counsel for Defendant-Appellant*;
75. Lawyers' Committee for Civil Rights Under Law, *Counsel for Amicus*;
76. League of Women Voters of Georgia, *Amicus*;
77. Lee, Theresa J., *Counsel for Amicus*;
78. Lewis, Joyce Gist, *Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
79. Love-Olivo, Cassandra Nicole, *Counsel for Amicus*;
80. May, Caitlin Felt, *Counsel for Plaintiffs-Appellees*;
81. McGowan Charlene, *Former Counsel for Defendant-Appellant*;
82. Miller, Alex W., *Counsel for Plaintiffs-Appellees*;
83. Miller, Kelsey A., *Former Counsel for Plaintiffs-Appellees*;
84. Mitchell, Cassie, *Counsel for Plaintiffs-Appellees*;
85. National Republican Redistricting Trust, *Amicus*;
86. O'Donnell, Courtney, *Counsel for Amicus*;
87. Osher, Daniel C., *Former Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
88. Paradise, Loree Anne, *Former Counsel for Defendant-Appellant*;
89. Pearson, Albert Matthews, *Counsel for Amicus*;

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90. Pendergrass, Coakley, *Pendergrass Plaintiff-Appellee*;
91. Perkins Coie LLP, *Former Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
92. Perkins, Brianne, *Amicus*;
93. Petrany, Stephen J., *Counsel for Defendant-Appellant*;
94. Raffensperger, Bradford J., *Defendant-Appellant*;
95. Reynolds, Garrett, *Grant Plaintiff-Appellee*;
96. Richards, Roberts, *Pendergrass Plaintiff-Appellee*;
97. Rollins-Boyd, David, *Counsel for Amicus*;
98. Rosenberg, Ezra D., *Counsel for Amicus*;
99. Rueckert, Jens, *Pendergrass Plaintiff-Appellee*;
100. Ruiz Toro, Juan M., *Counsel for Plaintiffs-Appellees*;
101. Rutahindurwa, Makeba, *Counsel for Grant and Pendergrass Plaintiffs-Appellees*;
102. Savitzky, Ari J., *Counsel for Plaintiffs-Appellees*;
103. Shaw, Abigail, *Former Counsel for Plaintiffs-Appellees*;
104. Sivaram, Anuradha, *Former Counsel for Plaintiffs-Appellees*;
105. Sixth District of the African Methodist Episcopal Church, *Plaintiff-Appellee*;
106. Solomon, Elbert, *Grant Plaintiff-Appellee*;
107. Southern Poverty Law Center, *Counsel for Amicus*;
108. Sparks, Adam M., *Counsel for Grant and Pendergrass Plaintiffs-*

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Appellees;

109. Smith, Casey Katharine, *Former Counsel for Plaintiffs-Appellees;*
110. Steiner, Neil, *Counsel for Amicus;*
111. Stewart, Janice, *Plaintiff-Appellee;*
112. Stewart, Michael Elliot; *Counsel for Intervenor;*
113. Strickland, Frank B., *Counsel for Defendant-Appellant;*
114. Sykes, Eunice, *Grant Plaintiff-Appellee;*
115. Taylor English Duma LLP, *Counsel for Defendant-Appellant;*
116. Thomas, Ursula, *Amicus;*
117. Tolbert, Elroy, *Grant Plaintiff-Appellee;*
118. Torchinsky, Jason B., *Counsel for Amicus;*
119. Tsai, Denise, *Counsel for Plaintiffs-Appellees;*
120. Tyson, Bryan P., *Counsel for Defendant-Appellant;*
121. United States Department of Justice, *Intervenor;*
122. Varghese, George P., *Counsel for Plaintiffs-Appellees;*
123. Vaughan, Elizabeth Marie Wilson, *Former Counsel for Defendant-Appellant;*
124. Weigel, Daniel H., *Counsel for Defendant-Appellant;*
125. Webb, Bryan K., *Counsel for Defendant-Appellant;*
126. Weitzman, Samuel, *Former Counsel for Plaintiffs-Appellees;*

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127. Willard, Russell D., *Counsel for Defendant-Appellant*;
128. Williams, Ayana, *Former Counsel for Plaintiffs-Appellees*;
129. Williams, H. Benjamin, *Amicus*;
130. Williams, Edward, *Former Counsel for Plaintiffs-Appellees*;
131. Wilmer Cutler Pickering Hale and Dorr LLP, *Counsel for Plaintiffs-Appellees*;
132. Wimbish, Dexter, *Grant Plaintiff-Appellee*;
133. Woods, Eric T., *Plaintiff-Appellee*;
134. Young, Sean Jengwei, *Former Counsel for Plaintiffs-Appellees*;
135. Zabel, Joseph D., *Former Counsel for Plaintiffs-Appellees*.

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rule 26.1, Plaintiffs-Appellees state that no publicly traded company or corporation has an interest in the outcome of this case or appeal.

Dated: January 13, 2025

/s/ Sophia Lin Lakin

SOPHIA LIN LAKIN

Counsel for Plaintiffs-Appellees

Alpha Phi Alpha Fraternity, Inc. et al.

(No. 23-13914)

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MOTION FOR SUBSTITUTION

Pursuant to Federal Rules of Appellate Procedure 43, Kenneth Glenn, the son of Katie Baliey Glenn, respectfully requests to be substituted as a party to this appeal as a Plaintiff-Appellee. Defendant-Appellant does not oppose the motion.

Plaintiff-Appellee Ms. Katie Baliey Glenn passed away on November 11, 2024. To the best of counsel’s knowledge, Ms. Glenn’s estate has no “personal representative” within the meaning of Federal Rule of Appellate Procedure 43(a)(1) because the estate has not gone through probate.¹ As a result, Mr. Glenn respectfully requests that this Court substitute him as a party to this appeal. Federal Rule of Appellate Procedure 43(a)(1) provides that once a suggestion of death has been made on the record, “[i]f the decedent has no representative, ... the court of appeals may then direct appropriate proceedings.” As Ms. Glenn’s surviving son, Mr. Glenn has a concrete interest in preserving his mother’s claim. Further, like Ms. Glenn, Mr. Glenn is a Black citizen of the United States and a resident of McDonough, Georgia. Given the circumstances, Mr. Glenn submits that substituting him as a party to defend the ruling below would be “appropriate.”

Substituting Mr. Glenn as a party will not prejudice the other parties to this action, nor will it delay these proceedings because appellant, intervenors, and

¹ To the best of counsel’s knowledge, Ms. Glenn’s estate intends to appoint Mr. Glenn as its Administrator.

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appellees fully briefed this matter prior to Ms. Glenn's passing. Therefore, including Mr. Glenn does not affect the Court's schedule or introduce new arguments to the Court. Further, on December 19, 2024, counsel of record for Defendant-Appellant was informed of Mr. Glenn's intention to file this motion and indicated it did not oppose it.

Accordingly, Mr. Glenn respectfully requests to be substituted as a Plaintiff-Appellee in this matter.

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Respectfully submitted.

/s/ Sophia Lin Lakin

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CERTIFICATE OF COMPLIANCE

This document complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 314 words. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font in text and footnotes.

/s/ Sophia Lin Lakin
Sophia Lin Lakin

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CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2025, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court for the U.S. Court of Appeals for the Eleventh Circuit using the CM/ECF system, which will automatically send a notice of the electronic filing to all registered CM/ECF users who have entered an appearance in the case.

This thirteenth day of January, 2025.

/s/ Sophia Lin Lakin
Sophia Lin Lakin