

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

BONNIE HEATHER MILLER, and
LEAGUE OF WOMEN VOTERS OF
ARKANSAS,

Plaintiffs,

v.

JOHN THURSTON, in his official capacity
as Secretary of State of Arkansas,

Defendant.

Case No. 5:20-cv-05163-TLB

Hon. Timothy L. Brooks

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs Bonnie Heather Miller and the League of Women Voters of Arkansas (“Plaintiffs”) respectfully move this Court for a preliminary injunction as set out in the accompanying Brief in Support of Plaintiffs’ Motion for Preliminary Injunction. Fed. R. Civ. P. 65(a); Local Rule 7.2(e). Plaintiffs seek as applied relief from Arkansas’s requirement that Plaintiffs submit a statement indicating that paid canvassers “passed” a state and federal criminal background check conducted by the Arkansas State Police when the State Police does not conduct federal criminal background checks and, in any event, does not indicate whether a person “passed” (or failed) the background check. Because it is impossible to comply with the statute, Defendant has refused to conduct the signature verification analysis of the approximately 150,000 signatures collected for two different initiative petitions.

WHEREFORE, Plaintiffs respectfully request that the Court grant their Motion and issue a preliminary injunction pending a decision on the merits of Plaintiffs' claims in this matter.

Dated: September 2, 2020

Respectfully submitted,

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* Motions for *pro hac vice* forthcoming

CERTIFICATE OF SERVICE

I certify that on September 2, 2020, I caused a copy of Plaintiffs' Complaint, along with the foregoing Motion and the accompanying Brief and Exhibits, to be served upon counsel for Defendant by e-mail at the address below. I will also contact Counsel for Defendant by phone to confirm that he will accept service on behalf of Defendants.

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