

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

Golden Bethune-Hill, *et al.*,

Plaintiffs,

v.

Virginia State Board of Elections, *et al.*,

Defendants.

Civil Action No. 3:14-cv-00852-REP-
AWA-BMK

**Renewed Motion for Stay Pending Appeal and
Motion for Order Resetting Virginia House Election Dates**

Pursuant to Federal Rule of Civil Procedure 62(c), Defendant-Intervenors respectfully renew their motion for a stay pending their appeal of this Court's permanent injunction to the Supreme Court. Defendant-Intervenors respectfully request that the Court stay all ongoing remedial proceedings and stay enforcement of its permanent injunction.

Alternatively, Defendant-Intervenors move the Court for an order resetting the dates of Virginia House of Delegates primary elections and nominating events and related deadlines to accommodate the Supreme Court's schedule in reviewing Defendant-Intervenors' appeal and the upcoming 2019 elections. Defendant-Intervenors propose the following election-related deadlines and dates for the House of Delegates elections:

Deadline for candidate qualification	July 17, 2019
Deadline for party officials to notify state election officials of the names of qualified candidates	July 22, 2019
Deadline for primaries or nominating conventions	September 10, 2019

The bases for the relief requested in this motion are stated in the accompanying brief in support of this motion.

Dated: November 28, 2018

Respectfully Submitted,

/s/ Katherine L. McKnight
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of November, 2018, a copy of the foregoing was filed and served on all counsel of record pursuant to the Court's electronic filing procedures using the Court's CM/ECF system.

/s/ Katherine L. McKnight
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[Proposed] Order

Upon consideration of Defendant-Intervenors' Renewed Motion for Stay Pending Appeal and Motion for Order Resetting Virginia House Election Dates, it is hereby ordered that Defendant-Intervenors' motion is GRANTED. The Court's permanent injunction, *see* ECF No. 235, and all remedial proceedings are hereby stayed pending appeal.

Barbara Milano Keenan
United States Court of Appeals Judge

Arenda L. Wright Allen
United States District Court Judge

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: December ____, 2018

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[Alternative Proposed] Order

Upon consideration of Defendant-Intervenors' Renewed Motion for Stay Pending Appeal and Motion for Order Resetting Virginia House Election Dates, it is hereby ordered that Defendant-Intervenors' motion is GRANTED. The ongoing remedial-proceeding deadlines are hereby suspended and held in abeyance pending further order of the Court. The Court orders Defendants to conduct the Virginia House of Delegates elections in 2019 according to the following schedule:

Deadline for candidate qualification	July 17, 2019
Deadline for party officials to notify state election officials of the names of qualified candidates	July 22, 2019
Deadline for primaries or nominating conventions	September 10, 2019

Any election deadlines set by a provision of Virginia statute or administrative code according to these deadlines shall change to be in accord with these deadlines. The State Board of Elections and Department of Elections, however, are relieved of any statutory deadlines governing the timing of ballot printing or mailing or

making available of absentee ballots so long as they make a good faith effort to accomplish these requirements as far in advance of deadlines as is practicable. Any further election issues or deadlines needed to be addressed for the purpose of effectuating this order or administering elections effectively should be raised with the Court by an appropriate motion.

Barbara Milano Keenan
United States Court of Appeals Judge

Arenda L. Wright Allen
United States District Court Judge

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: December ____, 2018