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**Admitted Pro Hac Vice*

**IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR
SUNDWALL, and JACK MARKMAN,

Plaintiffs,

v.

UTAH STATE LEGISLATURE, UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT
SANDALL, in his official capacity;
REPRESENTATIVE MIKE SCHULTZ, in his
official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

**PLAINTIFFS' MOTION TO EXPEDITE
CONSIDERATION OF MOTION FOR
LEAVE TO FILE FIRST
SUPPLEMENTAL COMPLAINT AND
FOR MOTION FOR PRELIMINARY
INJUNCTION ON COUNTS 9-14 OF
THEIR FIRST SUPPLEMENTAL
COMPLAINT**

Case No. 220901712

Honorable Dianna Gibson

Plaintiffs respectfully request that this Court expedite its review of (1) Plaintiffs' Motion for Leave to File First Supplemental Complaint and (2) Plaintiffs' Motion for a Preliminary Injunction. Utah's rules of civil procedure which govern that motion are to be construed liberally to "achieve the just, speedy, and inexpensive determination of every action." Utah R. Civ. P. 1. In election-related cases where ballot deadlines are at issue, motions to expedite are routinely granted. *See e.g., League of Women Voters of Delaware, Inc. v. Dep't of Elections*, 250 A.3d 922, 931 (Del. Ch.), *judgment entered sub nom. League of Women Voters of Delaware, Inc. v. State* (Del. Ch. 2020) ("Recognizing the exigency of this [ballot deadline and election] matter, I granted the Plaintiffs' Motion to Expedite."). For a just and speedy resolution in the case, expedited review is warranted.

In their accompanying Motion, Plaintiffs request a preliminary injunction enjoining Defendants from placing the proposed constitutional amendment (Amendment D) on the ballot because of the false and misleading language used to describe it. Ballots for the upcoming November 5, 2024 election will start being mailed to overseas and military voters on September 20, 2024, *see* Utah Code § 20A-16-403(1), and to most other voters beginning on October 15, 2024, *see* Utah Code § 20A-3a-202(2)(a). Ballots must be printed prior to those dates. Given the impending print and mail deadlines and Plaintiffs' requested relief, expedited review of Plaintiffs' Motion for a Preliminary Injunction is necessary.

Even if the Preliminary Injunction is granted after the ballots have been printed but before they are mailed, or after some but not all ballots have been mailed, expedited review is still necessary to minimize the number of voters who receive ballots containing flagrantly inaccurate language describing Amendment D. Furthermore, if Amendment D remains on the ballot for some

or all voters, Plaintiffs are asking this Court to declare the amendment void because of the deceptive language used to describe it. Thus, in any eventuality, speedy resolution of Plaintiffs' motion is necessary to promote voter understanding, provide sufficient time for the Lieutenant Governor to properly inform all County Clerks of the Court's order, and to ensure a just resolution in this case.

Plaintiffs propose the Court schedule a status conference as soon as possible to set a schedule for resolution of the pending motions, or otherwise set a deadline of **September 12** for Defendants to respond to Plaintiffs' motion for a preliminary injunction and **September 16** for Plaintiffs' reply, with a hearing on the motion as soon as possible thereafter.

The election (and accompanying ballot deadlines) is fast approaching. This exigent circumstance warrants expedited review of Plaintiffs' Motion for a Preliminary Injunction.

September 5, 2024

Respectfully submitted,

/s/ David C. Reymann

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CERTIFICATE OF SERVICE

I filed this motion on the Court's electronic filing system, which will email everyone requiring notice.

September 5, 2024

/s/ Kade N. Olsen