

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

_____)	
COMMON CAUSE GEORGIA, as an)	
organization,)	
)	
<i>Plaintiff,</i>)	
)	
)	
)	
v.)	Case No. 18-cv-05102-AT
)	
BRIAN KEMP, in his official capacity as)	
Secretary of State of Georgia)	
)	
)	
<i>Defendant.</i>)	
_____)	

**PLAINTIFF’S RESPONSE TO DEFENDANT’S
SUNDAY SUPPLEMENTAL GENERAL SUBMISSION**

Plaintiff Common Cause Georgia respectfully submits this response to Defendant's Sunday Supplemental General Submission (ECF No. 57) (Nov. 11, 2018) ("Defendant's Sunday Submission").

In its Sunday Submission, Defendant argues that Plaintiff's request for emergency relief is moot because more than half of Georgia counties have already certified their election results. Defendant is wrong; the request for relief is not moot. Defendant's Sunday Submission itself demonstrates that more than 60 counties still need to certify their results. This includes eight of Georgia's ten largest counties (Fulton, Gwinnett, Cobb, DeKalb, Chatham, Cherokee, Forsyth, and Henry). *See Georgia Counties by Population*, Ga. Demographics by Cubit, https://www.georgia-demographics.com/counties_by_population (last accessed Nov. 11, 2018). In fact, three of these counties (Fulton, Gwinnett, and Cobb) are the homes of exceptionally close House races where the number of provisional ballots is considerably higher than the number of votes separating the candidates. *See Suppl. Decl. of Sara Henderson* (ECF No. 56) (Nov. 10, 2018).

Based on all of the submissions made to the Court to date, Plaintiff respectfully submits that it has met its burden of demonstrating that relief is necessary and appropriate in order to ensure that provisional ballots do not get

rejected as a result of security vulnerabilities in Georgia's voter registration system.

This 11th day of November, 2018.

DLA PIPER LLP

By: /s/ Christopher Campbell

Christopher G. Campbell
One Atlantic Center
1201 West Peachtree Street, Suite 2800
Atlanta, GA 30309-3450
(404) 736-7808
christopher.campbell@dlapiper.com

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

Robert A. Atkins

(pro hac vice application pending)

NY Bar No. 2210771

Farrah R. Berse

(pro hac vice application pending)

NY Bar No. 4129706

Makiko Hiromi

(pro hac vice application pending)

NY Bar No. 5376165

William E. Freeland

(pro hac vice application pending)

NY Bar No. 5450648

Melina M. Meneguini Layerenza

(pro hac vice application pending)

NY Bar No. 5559240

1285 Avenue of the Americas
New York, NY 10019-6064
(212) 373-3000
ratkins@paulweiss.com
fberse@paulweiss.com
mhiromi@paulweiss.com
wfreeland@paulweiss.com
mmeneguina@paulweiss.com

BRENNAN CENTER FOR JUSTICE AT NEW YORK
UNIVERSITY SCHOOL OF LAW

Myrna Pérez

(pro hac vice)

NY Bar No. 4874095

Lawrence D. Norden

(pro hac vice pending)

NY Bar No. 2881464

Wendy R. Weiser

(pro hac vice pending)

NY Bar No. 2919595

Maximillian Feldman

(pro hac vice pending)

NY Bar No. 5237276

120 Broadway, Suite 1750

New York, NY 10271

(646) 292-8310

perezm@brennan.law.nyu.edu

nordenl@brennan.law.nyu.edu

weiserw@brennan.law.nyu.edu

feldmanm@brennan.law.nyu.edu

Attorneys for Plaintiff

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing PLAINTIFF'S RESPONSE TO DEFENDANT'S SUNDAY SUPPLEMENTAL GENERAL SUBMISSION was prepared double-spaced in 14-point Times New Roman pursuant to Local Rule 5.1(C), and is in compliance with the 25 page length limitation set forth in Local Rule 7.1(D).

/s/ Christopher Campbell
Christopher G. Campbell
DLA Piper LLP

CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2018, I served the within and foregoing PLAINTIFF'S RESPONSE TO DEFENDANT'S SUNDAY SUPPLEMENTAL GENERAL SUBMISSION with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties to this matter via electronic notification or otherwise.

This 11th day of November, 2018.

/s/ Christopher Campbell
Christopher G. Campbell
DLA Piper LLP