

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

FAIR FIGHT ACTION, INC., *et al.*,

*Plaintiffs,*

v.

BRAD RAFFENSPERGER, *et al.*,

*Defendants.*

Civ. Act. No. 18-cv-5391 (SCJ)

**PLAINTIFFS' MOTION AND MEMORANDUM IN SUPPORT  
FOR LEAVE TO FILE A CORRECTED STATEMENT OF ADDITIONAL  
MATERIAL FACTS AND EXHIBITS**

Plaintiffs Fair Fight Action, Inc., Care in Action, Inc., Ebenezer Baptist Church of Atlanta, Georgia, Inc., The Sixth Episcopal District, Inc., Baconton Missionary Baptist Church, Inc., and Virginia-Highland Church, Inc., by and through counsel, respectfully move this Court for leave to file a corrected Statement of Additional Material Facts and accompanying exhibits.

After filing Plaintiffs' Statement of Additional Facts and accompanying exhibits, ECF Nos. 493-497, the following issues came to Plaintiffs' attention. On Thursday, July 30, the Clerk's Office asked Plaintiffs to refile the exhibits submitted with ECF No. 494 with a Notice of Filing. In preparing the revised filing for the Court, Plaintiffs learned there had been a flaw in the process of matching

the exhibit citations in the near-final draft with the final list of exhibits. After investigating the scope of the issue for most of Thursday evening and Friday morning, Plaintiffs determined that this flaw had resulted both in errors in the exhibit citations in the Statement of Additional Material Facts and in the omission of certain unsealed exhibits from the collection uploaded for filing. By Saturday midday, Plaintiffs had corrected all the errors and transmitted the corrected Statement of Additional Material Facts to Defendants. At that time, Defendants informed Plaintiffs that they had been unable to download successfully certain of the exhibits that had been filed on ECF, as the exhibits appeared with blank pages. Plaintiffs confirmed that the files uploaded to ECF were correct, and thus that this was the result of a separate, technical flaw in the ECF process. Due to these errors, and to avoid further delays to Defendants' review of the materials, Plaintiffs gave Defendants access to all of these corrected materials (including both the corrected Statement of Additional Material Facts and all the correct exhibits) on Saturday, August 1. On Monday, August 3, 2020, at 8:40 am, Plaintiffs' counsel contacted the Clerk's office to ask for guidance on how to file the corrected Statement of Additional Material Facts and exhibits.

Plaintiffs have addressed each of these issues and thus move the Court for leave to file: (1) a corrected Statement of Additional Material Facts; and (2) a

corrected set of unsealed exhibits, formatted in the manner the Clerk's Office had requested.

Plaintiffs have conferred with Defendants regarding this motion, and Defendants have indicated that they do not oppose it as long as they are afforded the extension of time they seek to respond. *See* ECF No. 501 at 3 n.2 (“Defendants do not object to Plaintiffs’ Motion provided that Defendants will be provided additional time to respond[.]”).

### **CONCLUSION**

Plaintiffs respectfully request that this Court grant this Motion for Leave to File a Corrected Statement of Additional Material Facts and Exhibits.

### **CERTIFICATE OF COUNSEL REGARDING FONT SIZE**

I hereby certify that the foregoing has been prepared with a font size and point selection (Times New Roman, 14 pt.) which is approved by the Court pursuant to Local Rules 5.1(C) and 7.1(D).

Respectfully submitted, this, the 3rd day of August, 2020.

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**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing **PLAINTIFFS' MOTION FOR LEAVE TO FILE A CORRECTED STATEMENT OF ADDITIONAL MATERIAL FACTS AND EXHIBITS** by filing it through the Court's ECF system, which will send copies to all counsel of record.

This, the 3rd day of August, 2020:

/s/ Allegra J. Lawrence  
Allegra J. Lawrence