

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555- JPB
THE NEW GEORGIA PROJECT, <i>et al.</i> ,  <i>Plaintiffs,</i>  v.  BRAD RAFFENSPERGER, in his official capacity as the Georgia Secretary of State, <i>et al.</i> ,  <i>Defendants,</i>  REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i> ,  <i>Intervenor-Defendants.</i>	Civil Action No.: 1:21-cv-01229- JPB

**NGP PLAINTIFFS' RENEWED MOTION FOR PRELIMINARY  
INJUNCTION**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs New Georgia Project, Black Voters Matter Fund, Rise, Inc., Elbert Solomon, Fannie Marie Jackson Gibbs, and Jauan Durbin respectfully renew their motion for an Order enjoining Defendant Keith Gammage, in his official capacity as the Solicitor General of Fulton County, and Defendant Gregory W. Edwards, in his official capacity as the District Attorney for Dougherty County, from enforcing during the 2024

elections the provisions of O.C.G.A. § 21-2-414 that impose criminal penalties on those who distribute food, drink, and other gifts “[w]ithin 25 feet of any voter standing in line to vote at any polling place,” otherwise known as the “Supplemental Zone.”

For the reasons set forth in NGP Plaintiffs’ accompanying Brief in Support of Plaintiffs’ Renewed Motion for Preliminary Injunction, and incorporating by reference their factual evidence and briefing from their initial preliminary injunction motion, *see* ECF Nos. 185, 185-1–8, 217, NGP Plaintiffs have established that they are likely to succeed on the merits of their claim that the challenged prohibition—and the accompanying criminal penalties—violates the First Amendment by unjustifiably restricting their ability to engage in expressive conduct in the Supplemental Zone. Enforcement of this law would irreparably harm NGP Plaintiffs and similar organizations and voters across the State; this injury outweighs any harm Defendants Gammage and Edwards would suffer were the Court to order the relief sought by NGP Plaintiffs; the balance of hardships weighs in NGP Plaintiffs’ favor; and a preliminary injunction is in the public interest.

Respectfully submitted this 17th day of May, 2023,

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of L.R. 5.1, using font type of Times New Roman and a point size of 14.

Dated: May 17, 2023

/s/ Uzoma N. Nkwonta  
*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 17, 2023, I electronically filed this document with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the attorneys of record.

Dated: May 17, 2023

/s/ Uzoma N. Nkwonta  
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