

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

IN RE GEORGIA SENATE BILL 202	Master Case No.: 1:21-MI-55555-JPB
<p>SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, <i>et al.</i>,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>BRIAN KEMP, Governor of the State of Georgia, in his official capacity, <i>et al.</i>,</p> <p style="text-align: center;"><i>Defendants,</i></p> <p>REPUBLICAN NATIONAL COMMITTEE, <i>et al.</i>,</p> <p style="text-align: center;"><i>Intervenor-Defendants.</i></p>	<p>Civil Action No.: 1:21- cv-01284-JPB</p> <p>HEARING REQUESTED</p>

AME PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs in the above-captioned case respectfully move the Court for an Order enjoining Defendants in the above-captioned case from enforcing, until this Court renders a final judgment, (1) Ga. Code Ann. § 21-2-568(a)(5) which imposes felony penalties for ballot return assistance by assistors other than those set forth in Ga. Code Ann. §§ 21-2-385(a); and (2) those provisions of Ga. Code Ann. § 21-2-382(c)(1) that require counties to locate drop boxes inside the offices of the board of registrars or inside advance voting locations, that require that such drop boxes be closed when voting is not being conducted, and that require surveillance of such drop boxes be conducted by an individual listed in that section.

For the reasons set forth in detail in Plaintiffs' accompanying Brief in Support of Plaintiffs' Motion for a Preliminary Injunction, and the evidence submitted in support thereof, Plaintiffs are likely to succeed on the merits of their claims that these provisions violate the Americans with Disabilities Act (42 U.S.C. § 12131 et seq.) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794) by denying voters with disabilities equal access to Georgia's absentee voting program. Enforcing these laws during the 2024 primary, general, and any special or runoff elections would irreparably harm Plaintiffs and voters with disabilities across Georgia; this harm outweighs any harm Defendants would suffer were the Court to order the relief

sought by Plaintiffs; the balance of hardships weighs in Plaintiffs' favor; and a preliminary injunction is in the public interest.

This Motion raises critical issues of voting rights and disability discrimination. It implicates Congress's promise of equal access for voters with disabilities to participate in our democracy. Consequently, Plaintiffs believe that oral argument would be helpful to resolve these issues. Plaintiffs therefore request a hearing on this Motion.

Respectfully submitted, this 17th day of May, 2023.

/s/ Caitlin May

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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/ Caitlin May

Caitlin May

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/ Caitlin May

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Counsel for Plaintiffs