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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA STATE CONFERENCE OF THE NAACP, et al. <i>Plaintiffs,</i> v. SCHMIDT, et al., <i>Defendants,</i>	No. 1:22-CV-339
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**RESPONSE BY THE LACKAWANNA COUNTY BOARD OF ELECTIONS
REGARDING THE IMPACT OF THE DECISION IN *BLACK POLITICAL
EMPOWERMENT PROJECT V. SCHMIDT*, 2024 WL 4002321 (PA. COMMW.
AUG. 30, 2024) ON THE PENDING SUMMARY JUDGMENT MOTIONS**

In response to this Honorable Court's September 3, 2024, Order directing the parties in the above-captioned case to submit briefs addressing the impact of the decision in *Black Political Empowerment Project v. Schmidt*, 2024 WL 400321 (Pa. Commw. Ct. Aug. 30, 2024), on the pending summary judgment motions, Defendant Lackawanna County Board of Elections takes no position.

Respectfully submitted by:

s/ Jennifer Menichini
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DATED: September 14, 2024

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CERTIFICATE OF SERVICE

I, JENNIFER MENICHINI, certify that on this date I caused a true and correct copy of the foregoing response to be served by ECF upon all counsel of record.

s/ Jennifer Menichini
Jennifer Menichini

DATED: September 14, 2024