

CLOSED

**U.S. District Court  
District of North Dakota (Eastern)  
CIVIL DOCKET FOR CASE #: 3:20-cv-00071-PDW-ARS**

Self Advocacy Solutions N.D. et al v. Jaeger et al  
Assigned to: Chief Judge Peter D. Welte  
Referred to: Magistrate Judge Alice R. Senechal  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/01/2020  
Date Terminated: 08/28/2020  
Jury Demand: None  
Nature of Suit: 441 Civil Rights:  
Voting  
Jurisdiction: Federal Question

**Plaintiff**

**Self Advocacy Solutions N.D.**

represented by **Derrick L. Braaten**  
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**Plaintiff**

**League of Women Voters of North  
Dakota**

represented by **Derrick L. Braaten**  
(See above for address)  
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**Sarah M. Vogel**  
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**Carey A. Goetz**  
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**Dana Paikowsky**  
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**Danielle Marie Lang**  
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**Mark Gaber**  
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**Plaintiff**

**Maria Fallon Romo**

represented by **Derrick L. Braaten**  
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*ATTORNEY TO BE NOTICED*

**Sarah M. Vogel**  
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**Mark Gaber**  
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V.

**Defendant**

**Alvin Jaeger**  
*in his official capacity as Secretary  
of State*

represented by **David R. Phillips**  
ND Office of the Attorney General  
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**Defendant**

**Debbie Nelson**  
*in her official capacity as County  
Auditor of Grand Forks County*

represented by **Howard D. Swanson**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/01/2020	<a href="#">1</a>	COMPLAINT against Alvin Jaeger, Debbie Nelson (Filing fee: TBD, receipt number: 320000279) filed by Self Advocacy Solutions N.D., League of Women Voters of North Dakota, Maria Fallon Romo. (Attachments: # <a href="#">1</a> Exhibit A - 2018 Election Official Manual, # <a href="#">2</a> Exhibit B - Absentee/Mail Ballot Application, # <a href="#">3</a> Exhibit C - Voter Affidavit, # <a href="#">4</a> Exhibit D - Voter Qualifications, # <a href="#">5</a> Civil Cover Sheet)(js) Modified on 5/13/2020o add receipt number. (as) (Entered: 05/01/2020)
05/01/2020	<a href="#">2</a>	Summons Issued as to Alvin Jaeger, Debbie Nelson. (js) (Entered: 05/01/2020)
05/04/2020	<a href="#">3</a>	MOTION to Appear Pro Hac Vice Attorney Dana Paikowsky (Filing fee \$150, receipt number: ANDDC-1949450) by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D. (Paikowsky, Dana) (Main Document 3 replaced on 5/5/2020 with non-fillable pdf; modified on 5/5/2020 to add receipt # - NEF Regenerated) (js). (Entered: 05/04/2020)
05/04/2020	<a href="#">4</a>	MOTION to Appear Pro Hac Vice Attorney Aseem Mulji (Filing fee \$150, receipt number: ANDDC-1949452) by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Mulji, Aseem) (Main Document 4 replaced on 5/5/2020 with non-fillable pdf; modified on 5/5/2020 to add receipt # - NEF Regenerated) (js). (Entered: 05/04/2020)
05/04/2020	<a href="#">5</a>	MOTION to Appear Pro Hac Vice Attorney Mark Gaber (Filing fee \$150, receipt number ANDDC-1949455) by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) Modified on 5/5/2020 to add receipt number (am). (Main Document 5 replaced on 5/5/2020 with non-fillable PDF) (am). NEF regenerated on 5/5/2020 (am). (Entered: 05/04/2020)
05/04/2020	<a href="#">6</a>	MOTION to Appear Pro Hac Vice Attorney Danielle Lang (Filing fee \$150, receipt number ANDDC-1949457) by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Lang, Danielle) Modified on 5/5/2020 to add receipt number (am). (Main Document 6 replaced on 5/5/2020 with non-fillable PDF) (am). NEF regenerated on 5/5/2020 (am). (Entered: 05/04/2020)
05/05/2020	7	(Text Only) ORDER by Magistrate Judge Alice R. Senechal granting <a href="#">5</a> Motion to Appear Pro Hac Vice for Attorney Mark Gaber; granting <a href="#">6</a> Motion to Appear Pro Hac Vice for Attorney Danielle M. Lang. (am) (Entered: 05/05/2020)
05/05/2020	8	(Text Only) ORDER by Magistrate Judge Alice R. Senechal granting <a href="#">3</a> Motion to Appear Pro Hac Vice for Attorney Dana

		Paikowsky; granting <a href="#">4</a> Motion to Appear Pro Hac Vice for Attorney Aseem Mulji. (js) (Entered: 05/05/2020)
05/11/2020	<a href="#">9</a>	ACKNOWLEDGMENT OF SERVICE Executed filed by Self Advocacy Solutions N.D., League of Women Voters of North Dakota, Maria Fallon Romo. Alvin Jaeger served on 5/11/2020, answer due 6/1/2020. (Gaber, Mark) (Entered: 05/11/2020)
05/11/2020	<a href="#">10</a>	NOTICE of Appearance by Carey A. Goetz on behalf of League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D. (Goetz, Carey) (Entered: 05/11/2020)
05/11/2020	<a href="#">11</a>	MOTION for Preliminary Injunction by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Attachments: # <a href="#">1</a> Memorandum of Law in Support of Motion for Preliminary Injunction, # <a href="#">2</a> Gaber Declaration, # <a href="#">3</a> Mulji Declaration, # <a href="#">4</a> Exhibit 1: EAVS Data, # <a href="#">5</a> Exhibit 2: 2020 Election Officials' Manual, # <a href="#">6</a> Exhibit 3: Compiled County Training Materials, # <a href="#">7</a> Exhibit 4: McKenzie County Nov. 2018 Canvassing Board Minutes, # <a href="#">8</a> Exhibit 5: McLean County Nov. 2018 Canvassing Board Minutes, # <a href="#">9</a> Exhibit 6: Traill County Nov. 2018 Canvassing Board Minutes, # <a href="#">10</a> Exhibit 7: Kidder County Nov. 2018 Canvassing Board Minutes, # <a href="#">11</a> Exhibit 8: Dickey County Nov. 2018 Canvassing Board Minutes, # <a href="#">12</a> Exhibit 9: Mar. 25, 2019 Email from Barnes County Auditor, # <a href="#">13</a> Exhibit 10: Absentee Ballot Application, # <a href="#">14</a> Exhibit 11: Voter Affidavit, # <a href="#">15</a> Exhibit 12: Sec'y of State Absentee Voting Instructions, # <a href="#">16</a> Exhibit 13: Mohammed Declaration, # <a href="#">17</a> Exhibit 14: Romo Declaration, # <a href="#">18</a> Exhibit 15: Culver Declaration, # <a href="#">19</a> Exhibit 16: Marx Declaration, # <a href="#">20</a> Exhibit 17: Lynch Declaration, # <a href="#">21</a> Exhibit 18: EO 2020-13, # <a href="#">22</a> Exhibit 19: ND Health Announcement, # <a href="#">23</a> Exhibit 20: Article re Incremental Opening, # <a href="#">24</a> Exhibit 21: Article re Grand Forks COVID-19 Outbreak, # <a href="#">25</a> Exhibit 22: CDC Guidance for At-Risk Populations, # <a href="#">26</a> Exhibit 23: Pembina County Canvassing List, # <a href="#">27</a> Exhibit 24: Grand Forks County Auditor Absentee Voting for June 2020 Primary Announcement, # <a href="#">28</a> Exhibit 25: Grand Forks District 17 Rejected Ballots (Nov. 2018 Canvass))(Braaten, Derrick) (Entered: 05/11/2020)
05/12/2020	<a href="#">12</a>	NOTICE of Appearance by David R. Phillips on behalf of Alvin Jaeger (Phillips, David) (Entered: 05/12/2020)
05/12/2020	<a href="#">13</a>	MOTION to Expedite ( <i>Assented Motion to Expedite Briefing Schedule re Motion for Preliminary Injunction</i> ) by League of Women Voters of

		North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 05/12/2020)
05/12/2020	<a href="#">14</a>	NOTICE of Appearance by Howard D. Swanson on behalf of Debbie Nelson (Swanson, Howard) (Entered: 05/12/2020)
05/12/2020	<a href="#">15</a>	NOTICE of Appearance by Matthew A. Sagsveen on behalf of Alvin Jaeger (Sagsveen, Matthew) (Entered: 05/12/2020)
05/13/2020	16	(Text Only) ORDER by Magistrate Judge Alice R. Senechal granting unopposed <a href="#">13</a> Motion to Expedite Briefing Schedule re <a href="#">11</a> Motion for Preliminary Injunction. Responses are due by 5/22/2020. Replies are due by 5/25/2020. (LF) (Entered: 05/13/2020)
05/13/2020		Set/Reset Deadlines as to <a href="#">11</a> MOTION for Preliminary Injunction . Responses due by 5/22/2020. Replies due by 5/25/2020. (js) (Entered: 05/13/2020)
05/14/2020	<a href="#">17</a>	ACKNOWLEDGMENT OF SERVICE Executed filed by Self Advocacy Solutions N.D., League of Women Voters of North Dakota, Maria Fallon Romo. Debbie Nelson served on 5/13/2020, answer due 6/3/2020. (Gaber, Mark) (Entered: 05/14/2020)
05/22/2020	<a href="#">18</a>	RESPONSE to Motion re <a href="#">11</a> MOTION for Preliminary Injunction filed by Debbie Nelson. (Attachments: # <a href="#">1</a> Declaration of Debbie Nelson)(Swanson, Howard) (Entered: 05/22/2020)
05/22/2020	<a href="#">19</a>	MOTION for Videoconference or Telephonic Oral Argument by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 05/22/2020)
05/22/2020	<a href="#">20</a>	MOTION for Videoconference or Telephonic Oral Argument (Corrected) by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 05/22/2020)
05/22/2020	<a href="#">21</a>	RESPONSE to Motion re <a href="#">11</a> MOTION for Preliminary Injunction filed by Alvin Jaeger. (Attachments: # <a href="#">1</a> Affidavit of Silrum, # <a href="#">2</a> Exhibit 1 to Affidavit of Silrum (Mail Ballot Application), # <a href="#">3</a> Exhibit 2 to Affidavit of Silrum (Ballot Affidavit and Envelope))(Phillips, David) (Entered: 05/22/2020)
05/25/2020	<a href="#">22</a>	REPLY to Response to Motion re <a href="#">11</a> MOTION for Preliminary Injunction filed by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 05/25/2020)
05/26/2020	23	(Text Only) ORDER by Chief Judge Peter D. Welte granting <a href="#">20</a> Motion for Telephonic Hearing and Oral Argument on Motion for Preliminary Injunction. (EA) (Entered: 05/26/2020)
05/26/2020	24	NOTICE of Hearing on <a href="#">11</a> MOTION for Preliminary Injunction: Motion Hearing set for 6/1/2020 at 02:30 PM CT by telephone before

		Chief Judge Peter D. Welte. Counsel provided conference call dial-in information for the hearing via e-mail. (EA) (Entered: 05/26/2020)
05/26/2020	25	(Text Only) ORDER by Chief Judge Peter D. Welte finding as moot <a href="#">19</a> Motion for Telephonic Oral Argument in light of 23 Order granting Motion for Telephonic Oral Argument and 24 Notice of Hearing on Motion. (EA) (Entered: 05/26/2020)
06/01/2020	<a href="#">26</a>	ANSWER to <a href="#">1</a> Complaint, by Alvin Jaeger.(Phillips, David) (Entered: 06/01/2020)
06/01/2020	<a href="#">27</a>	Minute Entry for proceedings held before Chief Judge Peter D. Welte: Motion Hearing held on 6/1/2020 re <a href="#">11</a> MOTION for Preliminary Injunction filed by Maria Fallon Romo, Self Advocacy Solutions N.D., League of Women Voters of North Dakota. (Court Reporter kk) (lh) (Entered: 06/02/2020)
06/03/2020	<a href="#">28</a>	ANSWER to <a href="#">1</a> Complaint, by Debbie Nelson.(Swanson, Howard) (Entered: 06/03/2020)
06/03/2020	<a href="#">29</a>	ORDER by Chief Judge Peter D. Welte granting <a href="#">11</a> Motion for Preliminary Injunction. (MK) (Entered: 06/03/2020)
06/05/2020	<a href="#">30</a>	NOTICE by Alvin Jaeger re <a href="#">29</a> Order on Motion for Preliminary Injunction (Phillips, David) (Entered: 06/05/2020)
06/05/2020	<a href="#">31</a>	ORDER by Chief Judge Peter D. Welte re <a href="#">30</a> Notice filed by Alvin Jaeger. (MK) (Entered: 06/05/2020)
06/15/2020	<a href="#">32</a>	ORDER for Rule 26(f) Planning Meeting and Rule 16(b) Scheduling Conference, and ORDER regarding resolution of Discovery Disputes by Magistrate Judge Alice R. Senechal. Scheduling Conference set for 7/28/2020 at 10:00 AM before Magistrate Judge Alice R. Senechal. (LF) (Entered: 06/15/2020)
07/23/2020	33	NOTICE of Hearing: Scheduling Conference RESET for 8/28/2020 at 10:00 AM before Magistrate Judge Alice R. Senechal. (Previously set for 7/28/2020 at 10:00 AM). See written instructions at Doc. <a href="#">32</a> . (LF) (Entered: 07/23/2020)
08/27/2020	<a href="#">34</a>	MOTION for Permanent Injunction <i>and Final Judgment (Joint)</i> by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 08/27/2020)
08/27/2020	35	(Text Only) ORDER by Magistrate Judge Alice R. Senechal. In light of the parties' <a href="#">34</a> Joint Motion for Permanent Injunction and Final



		Judgment, the Scheduling Conference set for 8/28/2020 at 10:00 is CANCELLED. (AS) (Entered: 08/27/2020)
08/28/2020	<a href="#">36</a>	ORDER by Chief Judge Peter D. Welte granting <a href="#">34</a> Motion for Permanent Injunction. (MK) (Entered: 08/28/2020)
08/28/2020	<a href="#">37</a>	CLERK'S JUDGMENT re <a href="#">36</a> Order Granting (Joint) Motion for Permanent Injunction(pb) (Entered: 08/28/2020)
09/02/2020	<a href="#">38</a>	MOTION for Extension of Time to File <i>Motion for Attorneys' Fees, Expenses, and Costs</i> by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 09/02/2020)
09/03/2020	39	(Text Only) ORDER by Magistrate Judge Alice R. Senechal granting unopposed <a href="#">38</a> Motion for Extension of Time to File Motion for Attorneys' Fees, Expenses, and Costs. Plaintiffs' motion is due by 9/25/2020. (AS) (Entered: 09/03/2020)
09/24/2020	<a href="#">40</a>	MOTION for Extension of Time to File <i>Motion for Attorneys Fees and Costs Until October 16, 2020 (Consented)</i> by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D.. (Gaber, Mark) (Entered: 09/24/2020)
09/25/2020	41	(Text Only) ORDER by Magistrate Judge Alice R. Senechal Motion for Attorneys' Fees, Expenses, and Costs. Plaintiffs' motion is due by 10/16/2020. (AS) (Entered: 09/25/2020)
10/16/2020	<a href="#">42</a>	MOTION for Attorney Fees ( <i>Joint</i> ) by League of Women Voters of North Dakota, Maria Fallon Romo, Self Advocacy Solutions N.D..  (Attachments: # <a href="#">1</a> Proposed Order)(Gaber, Mark) (Entered: 10/16/2020)
10/23/2020	<a href="#">43</a>	ORDER by Chief Judge Peter D. Welte granting <a href="#">42</a> Motion for Attorney Fees. (MK) (Entered: 10/23/2020)
10/23/2020	<a href="#">44</a>	AMENDED CLERK'S JUDGMENT.(sj) (Entered: 10/23/2020)

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