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19 **FIRST JUDICIAL DISTRICT COURT**
20 **IN AND FOR CARSON CITY, STATE OF NEVADA**

21 DANIEL CORONA, DARIN MAINS, BRIAN
MELENDEZ, TERESA MELENDEZ,
22 NEVADA STATE DEMOCRATIC PARTY,
DNC SERVICES
CORPORATION/DEMOCRATIC
23 NATIONAL COMMITTEE, DCCC, and
PRIORITIES USA,
24 Plaintiffs,

25 vs.

26 BARBARA CEGAVSKE, in her official
capacity as Nevada Secretary of State; JOSEPH
27 P. GLORIA, in his official capacity as Registrar
of Voters for Clark County, Nevada; DEANNA
28 SPIKULA, in her official capacity as Registrar
of Voters for Washoe County, Nevada;

Case No.: 20 OC 00064 1B

Dept. No.: II

**NOTICE OF WITHDRAWAL OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 KRISTINE JAKEMAN, in her official capacity
2 as the Elko County Clerk; and AARON FORD,
3 in his official capacity as the Attorney General
4 of the State of Nevada,

Defendants.

5 **NOTICE OF WITHDRAWAL OF PLAINTIFFS’**
6 **MOTION FOR PRELIMINARY INJUNCTION**

7 Plaintiffs filed a motion for preliminary injunction on April 22, 2020, requesting that the
8 Court order the defendants to mail ballots to all registered voters, including inactive voters, and
9 to expand the number of polling locations in the June Primary to better reflect the population and
10 geographic size of each county. Plaintiffs also asked the Court to enjoin enforcement of the
11 Ballot Rejection Rules, the Voter Assistance Ban, and NAC 293.217(1). In response to that
12 motion, Defendants have filed responses and engaged in discussions with Plaintiffs, through
13 counsel, confirming that specific, concrete steps are being taken to address Plaintiffs’ concerns
14 as they relate to the coming June Primary election.

15 Specifically, in response to Plaintiffs’ motion, Defendant Joe Gloria, in his official
16 capacity as Registrar of Voters for Clark County, submitted his brief to this Court in which he
17 agreed to mail ballots to all registered voters, “including inactive voters,” in Clark County, which
18 accounts for more than 81% of the State’s inactive voters. Registrar Gloria also agreed to
19 establish two additional voting sites in Clark County. Additionally, in conjunction with their
20 response, Defendants Barbara Cegavske, in her official capacity as Nevada Secretary of State,
21 and Aaron Ford, in his official capacity as the Attorney General of the State of Nevada,
22 submitted the declaration of Wayne Thorley, Deputy of Elections for the Nevada Secretary of
23 State. Mr. Thorley states that the State intends to invest in an “electronic signature cure service,”
24 which will “allow voters to cure signatures directly on their phone or tablet.” Further, Defendant
25 Deanna Spikula, in her official capacity as Registrar of Voters for Washoe County, has agreed
26 that NAC 293.217(1) is not enforceable and that her office intends to enforce NRS 293.317.

27 Since those filings, Plaintiffs have engaged in further communications with Registrar
28 Gloria, through counsel, who has clarified his intent with respect to application of the Ballot

1 Rejection Rules in the June 9, 2020 primary, and has indicated his intent to appoint field
2 registrars pursuant to NRS 293.505 to receive mail ballots from voters as needed for the June 9,
3 2020 primary.

4 Because the preliminary injunction motion was focused specifically on requesting
5 remedies for the coming primary, and because Defendants' representations provide Plaintiffs
6 sufficient assurances with respect to that election, albeit within the scope of the challenged laws
7 and policies, these issues no longer require preliminary adjudication by the Court on an
8 expedited basis in advance of the primary.

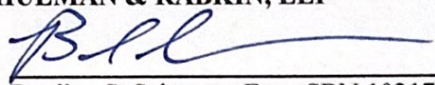
9 Plaintiffs maintain that the challenged laws and policies violate Nevada law and both the
10 Nevada and U.S. Constitutions. Plaintiffs will continue to seek resolution of those claims that
11 pertain to the general election, allowing for additional time to ensure that all remaining issues are
12 before the Court on a fully-developed record.

13 Accordingly, Plaintiffs hereby withdraw their motion for preliminary injunction and
14 request that the Court vacate the hearing on that motion scheduled for May 7 and 8, 2020.

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DATED this 5th day of May, 2020

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**Pro hac vice applications pending or forthcoming*

1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 5th day of May, 2020, a true and correct copy of the
3 **NOTICE OF WITHDRAWAL OF PLAINTIFFS' MOTION FOR PRELIMINARY**
4 **INJUNCTION** was served upon all parties by mailing via U.S. Mail, First Class postage
5 prepaid, at Las Vegas, Nevada to the following:

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