

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
CIVIL APPEAL STATEMENT**

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: 20-13360

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| Caption: The New Georgia Project, et al., Plaintiffs-Appellees, vs Brad Raffensperger, et al., Defendants-Appellants. | District and Division: <u>Northern District of Georgia, Atlanta Division</u> Name of Judge: <u>Honorable Eleanor L. Ross</u> Nature of Suit: <u>Civil Rights: Voting</u> <hr/> Date Complaint Filed: <u>5/8/2020</u> District Court Docket Number: <u>1:20-CV01986-ELR</u> <hr/> Date Notice of Appeal Filed: <u>9/4/2020</u> <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action <hr/> Has this matter previously been before this court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide (a) Caption: _____ (b) Citation: _____ (c) Docket Number: _____ |
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| | Attorney Name | Mailing Address | Telephone, Fax, Email |
|---|--|--|--|
| For Appellant: <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify) | Vincent R. Russo (please see attached for additional counsel) | Robbins Ross Alloy Belinfante Littlefield LLC 500 14th Street NW Atlanta GA 30318 | (T): (678) 701-9381 (F): (404) 856-3250 Email: vrusso@ robbinsfirm.com |
| For Appellee: <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Other (Specify) | (Please see attached) | (Please see attached) | (Please see attached) |

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

| Jurisdiction | Nature of Judgment | Type of Order | Relief |
|--|---|--|---|
| <input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> US Plaintiff <input type="checkbox"/> US Defendant | <input type="checkbox"/> Final Judgment, 28 USC 1291 <input checked="" type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1) <input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b) <input type="checkbox"/> Interlocutory Order, Qualified Immunity <input type="checkbox"/> Final Agency Action (Review) <input type="checkbox"/> 54(b) | <input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Default Judgment <input type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/Bench Trial <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Judgment/Directed Verdict/NOV <input checked="" type="checkbox"/> Injunction <input type="checkbox"/> Other _____ | Amount Sought by Plaintiff: \$ <u>N/A</u> Amount Sought by Defendant: \$ <u>N/A</u> Awarded: \$ <u>N/A</u> to <u>N/A</u> Injunctions: <input type="checkbox"/> TRO <input checked="" type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Permanent <input type="checkbox"/> Denied |

Based on your present knowledge:

(1) Does this appeal involve a question of First Impression? Yes No
What is the issue you claim is one of First Impression? _____

(2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute? Yes No
If Yes, provide
(a) Case Name/Statute _____
(b) Citation _____
(c) Docket Number if unreported _____

(3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that
(a) Arises from substantially the same case or controversy as this appeal? Yes No
(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal? Yes No
If Yes, provide
(a) Case Name _____
(b) Citation _____
(c) Docket Number if unreported _____
(d) Court or Agency _____

(4) Will this appeal involve a conflict of law
(a) Within the Eleventh Circuit? Yes No
(b) Among circuits? Yes No

If Yes, explain briefly:

(5) Issues proposed to be raised on appeal, including jurisdictional challenges:

In light of the fact that early voting for the November 2020 election has already begun, whether the District Court erred in granting Plaintiffs' Motion for Preliminary Injunction, in part, and enjoining Appellants and the County Defendants from enforcing O.C.G.A. § 21-2-386(a)(1)(F), requiring ballots be returned to county boards of registrars by 7:00 p.m. on Election Day to be counted, and instead requiring county boards to accept and count absentee ballots that are postmarked by Election Day, and arrive at their respective county's office within three (3) business days of Election Day by 7:00 p.m.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 18th DAY OF September, 2020.

Vincent R. Russo

NAME OF COUNSEL (Print)

/s/ Vincent R. Russo

SIGNATURE OF COUNSEL

The New Georgia Project, et al., v. Brad Raffensperger, et al.
11th Circuit Docket No. 20-13360

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