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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

League of Women Voters of Arizona; Mi
Familia Vota Education Fund; and Promise
Arizona, on behalf of themselves, their
members, and all others similarly situated,

No. CV-18-02620-PHX-JAT

Plaintiffs,

vs.

[PROPOSED]
PRELIMINARY INJUNCTION

Michele Reagan, in her official capacity as
Secretary of State for the State of Arizona,

Defendant.

This matter arises from Plaintiffs’ Motion for Preliminary Injunction (“Motion”). The Court, having received and considered Plaintiffs’ Motion and supporting documents, and good cause appearing, hereby ORDERS as follows:

IT IS HEREBY ORDERED that following the issuance of this Order and until such further order of this Court, Michele Reagan, in her official capacity as Secretary of State for the State of Arizona (“Defendant”), shall ensure that any provisional ballot is counted if it is:

- 1) cast in a federal election;
- 2) by a voter who;
 - a. is registered to vote in Arizona;
 - b. reported their current residential address as a part of engaging in a license application, renewal, or change-of-address transaction (“Covered Transaction”), whether that transaction occurred in-person, online, by telephone, or by mail, with the Arizona Department of Transportation

1 (“ADOT”) through its Motor Vehicle Division (“MVD”) (collectively
2 “ADOT/MVD”) between November 9, 2016 and the resolution of this
3 matter; and

4 c. has an address associated with their voter registration record that does not
5 match their current address reflected in their ADOT/MVD record;

6 3) in the precinct to which either the voter’s current address—reflected in the voter’s
7 ADOT/MVD record—or the address associated with the voter’s registration
8 record is assigned.

9 If the ballot is cast in a precinct other than the one in which the voter currently resides
10 (“OOP”), only those votes for the federal offices the voter would be entitled to vote for in
11 their home precinct will be counted.

12 **IT IS FURTHER ORDERED** that Defendant shall post and prominently display a
13 notice at all polling locations and provide signs to be displayed in all ADOT/MVD offices
14 containing the information set forth above. These signs shall be in English and Spanish.

15 **IT IS FURTHER ORDERED** that Defendant shall train poll workers (i) to ensure
16 that voters who arrive at the incorrect precinct are informed that they must go to the polling
17 place that corresponds to their current residential address in order for their full ballot to be
18 counted, and (ii) to assist those voters in locating their correct precinct.

19 **IT IS FURTHER ORDERED** that Defendant shall send a Remedial Mailing to each
20 individual who engaged in a Covered Transaction with ADOT/MVD between November 9,
21 2016 and present (whether in person, online, by phone, or by mail) where an individual
22 reported a new address. To the extent that it is possible for ADOT/MVD to confirm that any
23 such individuals are not U.S. Citizens or will not be 18 years old by November 6, 2018,
24 those individuals may be excluded from the mailing.

25 **IT IS FURTHER ORDERED** that the Remedial Mailing shall consist of (i) a letter
26 explaining that the recipient may have recently reported an address change to ADOT/MVD,
27 but that the address associated with their voter registration record may not have been
28 updated; and (ii) a blank voter registration application. The Remedial Mailing shall include

1 the following language:

- 2 (a) If you are already registered to vote at your current address, you do not need
3 to re-register to vote. You can check your voter registration address at:
4 <https://voter.azsos.gov/VoterView/RegistrantSearch.do>
- 5 (b) If you are not registered to vote where you live now, and you want to vote in
6 the upcoming federal election on November 6, 2018, you should update your
7 address by October 9, 2018. In order to do this you may either:
- 8 (i) update your voter registration address online through ADOT's Service
9 Arizona website at <https://servicearizona.com/voterRegistration>. This
10 is the easiest and fastest way to update your registration. To use the
11 Service Arizona website you must have an Arizona Driver's License or
12 State ID card issued after October 1, 1996;
- 13 OR
- 14 (ii) update your voter registration address by completing and returning in
15 person or mailing the voter registration application included with this
16 mailing to one of the locations described on the voter registration
17 application.
- 18 (d) If you do not update your address by October 9, 2018, you can still vote on
19 Election Day by:
- 20 (i) Looking up your address and going to the polling place that
21 corresponds to your current residential address, where you will be able
22 to update your voter registration address and vote a regular ballot. You
23 can find your correct polling place by calling 1-877-THE VOTE (843-
24 8683) or looking it up at:
25 <https://voter.azsos.gov/VoterView/PollingPlaceSearch.do>;
- 26 OR
- 27 (iii) If your county has vote centers, going to any vote center in your
28 county. If you have moved within that county, you can update your
address and vote a regular ballot. If you moved to a new county, you
can cast a provisional ballot that will be counted for this election only
for those federal offices that you are eligible to vote in at your current
address.
- (e) If you vote by mail, and you are not registered to vote where you live now,
you will need to update your voter registration address to receive your mail
ballot. Please call 1-877-THE VOTE (843-8683) to get help with updating
your address.
- (f) If you have any questions, you can call 1-877-THE VOTE (843-8683).
- (g) If you need assistance in Spanish, please call 1-877-THE VOTE (843-8683)
(Si necesita ayuda con la inscripción de votante en español, por favor llame al
1-877-THE VOTE (843-8683)).

1 **IT IS FURTHER ORDERED** that Defendant shall deliver a draft of the Remedial
2 Mailing to Plaintiffs' Counsel no later than September 17, 2018. Thereafter, Defendant and
3 Plaintiffs' Counsel will confer in good faith to agree on the final content of the Remedial
4 Mailing. The Remedial Mailing shall go out no later than September 21, 2018. If agreement
5 is not reached before September 19, 2018, any disputes regarding the Remedial Mailing will
6 be resolved by the Court.

7 **IT IS FURTHER ORDERED** that nothing in this Order shall be construed to reduce
8 or eliminate any existing obligation placed on Defendant by the NVRA or state law.

9 **IT IS FURTHER ORDERED** that, for good cause, Plaintiffs are excused from the
10 requirement of giving security in support of this preliminary injunction.

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