

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-2989-AT**

**CURLING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs Donna Curling, Donna Price, and Jeffrey Schoenberg (the “Curling Plaintiffs”) move this Court to grant a preliminary injunction prohibiting Defendants in any future election, from using any system or devices for voting, including the Dominion ballot-marking device (“BMD”)-based system, that does not use hand-marked paper ballots as the primary method of recording the elector’s votes. Curling Plaintiffs further move for additional relief related to the implementation of the hand-marked paper ballot system and pre-certification, post-election, manual tabulation audits.

In connection with the foregoing requested relief, Curling Plaintiffs request this Court to order Defendants (1) to conduct elections using hand-marked paper

ballots as the primary method of recording the elector's votes, as permitted by Georgia law, (2) to make available at each polling place at least one electronic or mechanical BMD that is in compliance with the Americans with Disabilities Act and Help America Vote Act, and (3) to provide a minimum of one ballot scanner at each polling place for casting, tabulation, and secure storage of voted paper ballots.

Further, and in connection with the foregoing requested relief, Curling Plaintiffs request this Court order the Defendants to file, within 5 days of the entry of the Court's Order, a plan providing specific steps the Defendants intend to take to comply with the terms of the Court's Order and to institute pre-certification, post-election, manual tabulation audits of the paper ballots to verify election results, in sufficient detail for the Court to evaluate its adequacy.

Pursuant to Rule 65(d), Plaintiffs have filed with this Motion a proposed order directed at the persons to be bound thereby, stating the reasons why the order should issue, stating the order's terms specifically, and describing the acts restrained and required.

Pursuant to Rule 7.1(A) of the Local Rules of the Northern District of Georgia, and Part III (a) of this Court's Standing Order, Plaintiffs have filed herewith a brief citing legal authorities supporting the motion and the facts relied upon. Attached to the brief are declarations from the following:

1. J. Alex Halderman
2. Donna Curling
3. Donna Price
4. Jeffrey Schoenberg
5. Louis M. Franzoni, Jr.
6. David D. Cross

Dated: August 19, 2020

Respectfully submitted,

/s/ David D. Cross

David D. Cross (*pro hac vice*)  
John P. Carlin (*pro hac vice*)  
Lyle P. Hedgecock (*pro hac vice*)  
Mary G. Kaiser (*pro hac vice*)  
Robert W. Manoso (*pro hac vice*)  
MORRISON & FOERSTER LLP  
2000 Pennsylvania Avenue, NW  
Suite 6000  
Washington, DC 20006  
Telephone: (202) 887-1500  
DCross@mofocom  
JCarlin@mofocom  
LHedgecock@mofocom  
MKaiser@mofocom  
RManoso@mofocom

Halsey G. Knapp, Jr.  
GA Bar No. 425320  
Adam M. Sparks  
GA Bar No. 341578

KREVOLIN & HORST, LLC  
1201 West Peachtree Street, NW  
Suite 3250  
Atlanta, GA 30309  
HKnapp@khlawfirm.com  
Sparks@khlawfirm.com

*Counsel for Plaintiffs Donna Curling,  
Donna Price & Jeffrey Schoenberg*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-2989-AT**

**CERTIFICATE OF COMPLIANCE**

Pursuant to LR 7.1(D), I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ David D. Cross  
David D. Cross

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER , ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-2989-AT**

**CERTIFICATE OF SERVICE**

I hereby certify that on August 19, 2020, a copy of the foregoing **CURLING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION** was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

/s/ David D. Cross  
David D. Cross