

**COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
CIVIL DIVISION
CIVIL ACTION NO. 20-CI-00471**

DAVID M. WARD, ET AL.

PLAINTIFF

VS.

MICHAEL ADAMS, ET AL.

DEFENDANTS

**RESPONSE OF THE KENTUCKY STATE
BOARD OF ELECTIONS AND A.B.
CHANDLER III TO PLAINTIFF'S JOINT
MOTION FOR SUMMARY JUDGMENT**

Defendants, Kentucky State Board of Elections and A.B. Chandler III, in his official capacity as the Chairman of the State Board of Elections (together "SBE and Chairman Chandler"), by counsel, state as follows in response to Plaintiffs' Joint Motion for Summary Judgment filed on August 3, 2020. Defendants take no legal position as to the validity of any Chapter included in the 2020 *Kentucky Acts* and will await further instruction from the Court following substantive briefing and oral argument by the real parties in interest. In the meantime, Defendants are obligated to discharge their statutory duties in connection with the upcoming regular election on November 3, 2020. Absent entry of an Order by this Court providing otherwise, Defendants will proceed to comply with all statutory deadlines in connection with the November 3, 2020 regular election.

Respectfully submitted,

/s/ Taylor Brown

Taylor Austin Brown
General Counsel, State Board of Elections
140 Walnut Street
Frankfort, Kentucky 40601
(502) 782-9499
TaylorA.Brown@ky.gov
*Counsel for Defendants State Board of
Elections and A.B. Chandler III*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed and served electronically via the KY Courts e-filing system on the 26th day of August 2020, upon the following:

Virginia H. Snell
Wyatt, Tarrant & Combs, LLP
400 West Market Street
Suite 2000
Louisville KY 40202
vsnell@wyattfirm.com

J. David Niehaus
2620 Fordyce Lane
Louisville, KY 40205
davidniehaus@zoho.com
Counsel for Plaintiff David M. Ward

Michael R. Mazzoli
Cox & Mazzoli PLLC
600 West Main Street, Suite 300
Louisville, Kentucky 40202
MazzoliCMLaw@aol.com
Counsel for Plaintiff Kentucky Association of Criminal Defense Lawyers, Inc.

John C. Roach
W. Keith Ransdell Ransdell, Roach and Royse
176 Pasadena Drive, Bldg. 1
Lexington, KY 40503
859-276-6262
john@rrrfirm.com keith@rrrfirm.com
Counsel for MLKy

David Fleenor, General Counsel
Office of the Senate President
702 Capital Avenue, Room 236
Frankfort, KY 40601
502-564-3120
dave.fleenor@lrc.ky.gov
Counsel for Sen. Westerfield

Hon. Jennifer Scutchfield
Secretary of State Office
700 Capital Avenue, Suite 152
Frankfort, KY 40601
jscutchfield@ky.gov
*Counsel for Defendant Michael G. Adams,
In his official capacity as Secretary of State*

Victor B. Maddox
S. Chad Meredith
Carmine G. Iaccarino
Aaron J. Silletto
Brett R. Nolan
Charles A. English
Office of the Attorney General
700 Capital Avenue, Suite 118
Frankfort, Kentucky 40601
Phone: (502) 696-5300
Victor.Maddox@ky.gov
Chad.Meredith@ky.gov
Carmine.Iaccarino@ky.gov
Aaron.Silletto@ky.gov
Brett.Nolan@ky.gov
Chaz.English@ky.gov
*Counsel for Intervening Defendant, Commonwealth of Kentucky ex rel.
Attorney General Daniel Cameron*

/s/ Taylor Brown

*Counsel for Defendants State Board of
Elections and A.B. Chandler III*