

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

TIMOTHY KING, MARIAN ELLEN
SHERIDAN, JOHN EARL HAGGARD,
CHARLES JAMES RITCHARD, JAMES
DAVID HOOPER, and DAREN WADE
RUBINGH,

Plaintiffs,

v.

GRETCHEN WHITMER, in her official
capacity as Governor of the State of
Michigan, JOCELYN BENSON, in her
official capacity as Michigan Secretary of
State, and the Michigan BOARD OF
STATE CANVASSERS,

Defendants.

CIVIL ACTION

No. 2:20-cv-13134-LVP-RSW

Hon. Linda V. Parker

**PROPOSED INTERVENOR-
DEFENDANTS' EX PARTE
APPLICATION TO EXTEND
PAGE LIMITS FOR THEIR
BRIEF IN OPPOSITION OF
PLAINTIFFS' EMERGENCY
MOTION FOR TRO**

With this *ex parte* application (see Local Rule 7.1(d)(3)(a)), Proposed Intervenor-Defendants, DNC Services Corporation/Democratic National Committee and Michigan Democratic Party (“Proposed Intervenors”), respectfully request permission to file their Brief in Opposition to Plaintiffs’ Emergency Motion for a Temporary Restraining Order (ECF No. 7) in excess of the 25-page limit for the reasons stated below. Plaintiffs’ counsel does not oppose this request.

1. Local Rule 7.1(d)(3) limits response briefs to 25 pages absent permission from the Court allowing a longer brief.

2. Plaintiffs' Emergency Motion for Temporary Restraining Order (ECF No. 7), while only 16 pages, purports to be supported by all of the allegations from their 233-paragraph, 85-page first amended complaint, which includes a 13-point prayer for relief (ECF No. 6). Indeed, Plaintiffs incorporate by reference the entire first amended complaint into their Emergency Motion for Temporary Restraining Order (ECF No. 7, PageID 1832).

3. Plaintiffs' Emergency Motion for Temporary Restraining Order (ECF No. 7), also purports to be supported by every one of the 30 exhibits attached to the first amended complaint, which collectively amount to 874 pages (ECF Nos. 6-1 thru 6-30, PageIDs 958-1831). Indeed, Plaintiffs incorporate by reference their entire, voluminous set of exhibits into their Emergency Motion for Temporary Restraining Order (ECF No. 7, PageID 1832).

4. Proposed Intervenor request a modest page-limit increase of five pages to properly analyze and address the arguments in Plaintiffs' Emergency Motion for Temporary Restraining Order and voluminous supporting materials, resulting in a 30-page brief in opposition.

5. On December 2, 2020, counsel for Proposed Intervenor sought concurrence from Plaintiffs' counsel, and Plaintiffs' counsel concurs.

6. Proposed Intervenors respectfully request to file, and that the Court accept, a 30-page brief in opposition to Plaintiffs' Emergency Motion for a Temporary Restraining Order.

Dated: December 2, 2020.

Respectfully submitted,

/s/ Scott R. Eldridge

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Party*

*Admission forthcoming

CERTIFICATE OF SERVICE

Scott R. Eldridge certifies that on the 2nd day of December 2020, he served a copy of the above document in this matter on all counsel of record and parties via the ECF system.

/s/ Scott R. Eldridge _____

Scott R. Eldridge