



JASON S. NUNNERMACKER, ESQ.  
JNUNNERMACKER@DECOTIISLAW.COM  
201.347.2130

NEW JERSEY  
NEW YORK

TELEPHONE: (201) 928-1100  
TELEFAX: (201) 928-0588  
WWW.DECOTIISLAW.COM

March 30, 2024

**VIA E-FILING**

Hon. Zahid N. Quraishi, U.S.D.J.  
United States District Court  
Clarkson S. Fisher Building  
402 East State Street  
Trenton, New Jersey 08608

**Re: Andy Kim, et al. v. Hanlon, et al.  
Civil Action No.: 3:24- 1098(ZNQ)(TJB)**

Dear Judge Quraishi:

This firm represents the Honorable John Hogan, Clerk of Bergen County in this matter. We write to respectfully join the letter dated March 29, 2024, filed by Mr. Parikh (Docket Entry 194) on behalf of fifteen co-defendants/Clerks seeking an emergency stay pending appeal of Your Honor's Order dated March 29, 2024 (Docket Entry 195) granting Plaintiff's extraordinary Motion for a Preliminary Injunction ("March 29<sup>th</sup> Order")<sup>1</sup>. On the evening of March 29<sup>th</sup>, the Defendant Clerks jointly filed a timely Notice of Interlocutory Appeal (Docket Entry 200).

We rely upon Mr. Parikh's arguments simply wishing to briefly highlight:

1. The Clerk's statutory obligation is merely ministerial and are simply to follow NJSA 19:49-2 and therefore indispensable parties who are the real parties in interest were not named pursuant to Fed. R. Civ. P. 19;
2. Providing the Clerks five business days' notice to change a ballot design in effect for decades is, respectfully, inequitable, unreasonable and only causes confusion; and
3. The letter filed by the Morris County Republican Committee (Docket Entry No. 196) positing that the republican primary ballot is unaffected by the March 29<sup>th</sup> Order exemplifies the confusion throughout the State- Are there now two separate and distinct ballot designs for the June 4<sup>th</sup> primary that must be put into effect in very short order?

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<sup>1</sup> Due to a religious obligation, I was unable to timely advise co-defendants that Bergen County joined counsels' letter.

Therefore, the Bergen County Clerk respectfully requests that the Court stay the March 29<sup>th</sup> Order so that defendants can pursue their appeal

Respectfully submitted,

**DECOTIIS, FITZPATRICK, COLE  
& GIBLIN, LLP**

By: /s/ Jason Nunnermacker  
Jason S. Nunnermacker, Esq.

JN/st

cc: All parties by E-Filing