

IN THE SUPREME COURT OF PENNSYLVANIA

COUNTY OF FULTON, *et al.*,

Petitioners/Appellees,

v.

SECRETARY OF THE
COMMONWEALTH,

Respondent/Appellant,

and

DOMINION VOTING SYSTEMS, INC.

No.: 277 M.D. 2021

No.: 3 MAP 2022

**RESPONDENT APPELLEE FULTON COUNTY’S
EMERGENCY APPLICATION FOR RECONSIDERATION REGARDING
ORDER ON FULTON COUNTY’S EMERGENCY APPLICATION FOR A
STAY UPON SPECIAL MASTER’S DENIAL OF SAME**

Comes now Petitioners, Fulton County, by and through undersigned counsel,
and for its application for reconsideration of this Court’s order providing
Respondents the ability to respond to Fulton County’s August 28, 2023 Emergency
Application to Stay Proceedings on the last day of the proceedings concerning
which Fulton County seeks a stay, states as follows.

On August 28, 2023, Petitioners, Fulton County, filed an emergency application to stay the proceedings being held before the Special Master pursuant to Rule 3315 (review of Special Master's Order Denying Stay).

Fulton County filed this emergency application seeking an immediate ruling from the court granting or denying the stay as the proceedings are to continue on Wednesday, August 30, 2023 and Thursday, August 31, 2023. Fulton County specifically asked for a ruling from the court to be issued on August 28, 2023.

Instead, the Court provided Respondents time to respond until Thursday, August 31, 2023 at 10:00 a.m. This schedule would then require this Court to issue an order at some time subsequent to the Respondents' responses, and thus, during the last day of the proceedings concerning which Fulton County has sought an emergency stay.

The Court's order giving Respondents this long to respond effectively nullifies any of the relief sought by Fulton County and therefore, the irreparable harm sought to be avoided by Fulton County would likely come to pass before this Court would act on Fulton County's emergency application to prevent such harm.

Therefore, Fulton County files this application for reconsideration specifically asking the Court to issue an order by 4:00 p.m. Eastern Standard Time, Tuesday, August 29, 2023, GRANTING or DENYING this application for reconsideration of Fulton County's specific request that this Court issue a ruling on Monday, August

28, 2023, GRANTING or DENYING its Emergency Application to Stay the Proceedings before the Special Master.

PRAYER FOR RELIEF

Accordingly, Fulton County herein respectfully request an order to issue today, by 4:00 p.m. Eastern Standard Time, Tuesday, August 29, 2023, GRANTING or DENYING reconsideration of the Court's decision to allow Respondents until Thursday, August 31, 2023 to respond to Fulton County's August 28, 2023 Emergency Application for an Immediate Stay of the Special Master's proceedings being held on August 28, 30, and 31, 2023. Unless the Court grants or denies said application, irreparable harm will occur because any relief Fulton County could possibly seek will not be attainable under the Court's current scheduling order.

Respectfully submitted by:

/s/ Thomas J Carroll
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Date: August 29, 2023