

Supplemental Brief to Secretary Boockvar’s Application for the Court to Exercise Extraordinary Relief Over the Commonwealth Court Case Docketed at 407 MD 2020 (the “Application”). On September 1, 2020, this Court granted the Application and permitted the parties and intervenors to file supplemental briefing and/or affidavits to support their respective positions on the claims raised in this case.

The Counties believe they acted in compliance with Pennsylvania election law when administering prior elections, and therefore do not believe that new directives from this Court are necessary. Furthermore, the Counties are prepared to comply with the current law when administering the November 2020 General Election (the “General Election”). However, to the extent this Court determines updates to the election law are needed, the Counties intend to fully comply with the Court’s directives when administering the General Election.

Regardless of whether this Court affirms or updates Pennsylvania law on the issues raised in this litigation, the Counties request a ruling from the Court as soon as possible. The Counties are diligently planning and preparing to administer the General Election. The Counties intend to begin printing mail-in ballots as soon as possible upon the Commonwealth’s approval. Therefore, they require clear directives from this Court in order to communicate the appropriate procedures to their respective voters.

The Petitioners and Intervenors have fully and thoroughly briefed the legal issues raised in this litigation. Therefore, in the interests of a speedy and clear resolution, the Counties will rely upon the robust legal arguments raised by the other parties involved in this case.

WHEREFORE, the Counties respectfully request that this Court provide a prompt ruling on the issues raised in this litigation to ensure consistency and clarity, and to enable the Counties to administer the General Election in compliance with Pennsylvania law.

Date: September 8, 2020

Respectfully submitted,

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and ZOMNIR, P.C.

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CERTIFICATION REGARDING PUBLIC ACCESS POLICY

I certify that that filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: September 8, 2020

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