

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH DRENTH, <i>et al.</i> ,	:	Civil No. 1:20-CV-00829
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
KATHY BOOCKVAR,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 27th day of May, 2020, upon consideration of Plaintiffs’ motion for temporary restraining order and/or preliminary injunction, *see* Doc. 4, the briefing connected to the motion, and the hearing that occurred on the date of this order, **IT IS ORDERED** that the motion for temporary restraining order and/or preliminary injunction is **GRANTED**. Accordingly, a preliminary injunction is entered as follows:

1. For purposes of the primary election that is scheduled to occur on June 2, 2020, Defendants shall make the Accessible Write-In Ballot (“AWIB”) remedy (*See* Docs. 29-2 through 29-6) available to eligible voters in the Commonwealth of Pennsylvania pursuant to the following requirements.
2. As agreed to by Defendants’ counsel at the hearing on this date, Defendants shall correct the formatting problem on the second page of the AWIB ballot form regarding the placement of the term “Ballot Question.” (*See* Doc. 29-2.)

3. To obtain an AWIB, an individual must be an eligible Pennsylvania voter who applied for an absentee or mail-in ballot no later than May 26, 2020, and has not yet submitted an absentee or write-in ballot using the currently available paper ballot.
4. Any individual eligible for an AWIB must submit a request on or before **Friday, May 29, 2020 at 8:00 p.m.** The request shall be submitted by means identified by Defendants, and the means of making such request shall be accessible through the Pennsylvania Department of State's website.
5. Upon receiving a request, the Pennsylvania Department of State shall promptly electronically transmit to the requesting voter: (1) an accessible write-in ballot; (2) an accessible declaration form; (3) accessible instructions; (4) an accessible candidate list for the voter's election district; and (5) a write-in envelope.
6. Any eligible individual seeking to submit a ballot using the AWIB shall also complete the accessible declaration and authenticate the declaration with a valid Pennsylvania driver's license, a valid Pennsylvania state personal identification number, or the last four digits of the voter's social security number.

7. Any individual who submits a declaration requesting an AWIB certifies under penalty of perjury that he or she is a voter with a disability as defined by the Americans with Disabilities Act.
8. Voters must return their AWIB materials by first-class mail or by hand-delivery to the County Board of Elector's office in the voter's jurisdiction by no later than **8:00 p.m. on June 2, 2020.**
9. The Pennsylvania Department of State shall ensure that all timely and correctly completed and returned AWIBs are counted in the final tabulation and certification of the June 2, 2020 primary elections.
10. This preliminary injunction shall expire at the conclusion of the June 2, 2020 primary election and all vote tabulations thereto, and shall not have effect on the November 2020 elections or any elections thereafter.
11. On or before **Thursday, May 28, 2020 at 10:00 a.m.,** Defendants shall issue a press release informing eligible voters of the option to vote by AWIB. The press release shall be issued in an accessible form. Defendants shall post notice of the option to vote by AWIB on the Commonwealth of Pennsylvania's website and the Department of State's website no later than **Thursday, May 28, 2020 at 10:00 a.m.** Defendants shall also provide a copy of the press release to Plaintiffs' counsel by the same deadline.

12. In the event that any aspect of this order is inconsistent with the proposed AWIB remedy, counsel shall contact the court immediately by filing a letter by means of CM/ECF, and the court shall address the matter as quickly as possible.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania