

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING et al.,

Plaintiffs,

vs.

BRIAN P. KEMP et al.

Defendants.

**CIVIL ACTION FILE NO.
2017-CV-02989-AT**

**DEKALB DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION
FOR LEAVE TO FILE THIRD AMENDED COMPLAINT**

DEFENDANTS Maxine Daniels, Michael Coveny, Anthony Lewis, Leona Perry, Samuel Tillman, and Baoky Vu (“Individual DeKalb Defendants”) and Defendant DeKalb County Board of Registrations and Elections (“DeKalb Board”) (together “DeKalb Defendants”) submit this **Response to Plaintiffs’ Motion to Amend** [Doc. 160].

The DeKalb Defendants find themselves in the same situation as the Cobb Defendants. Specifically, DeKalb Defendants have no objection to the Court granting the Motion to Amend to the extent that it dismisses the DeKalb Defendants from the case. However, for the reasons set forth in the Cobb Defendants Response [Doc. 174], which is hereby incorporated by reference as if fully set forth herein, the DeKalb Defendants object to the Motion to the extent it

requires the DeKalb Defendants to “continue preserving all evidence that they are currently required to preserve in their capacities” [Doc. 160 at 4] because this will impose an undue burden on the County’s ability to successfully administer upcoming elections. The DeKalb Defendants also request that the Court assess costs and fees related to this litigation against Plaintiffs.

Respectfully submitted this 18th day of April, 2017.

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/s/ Bennett D. Bryan
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CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2017, I electronically filed the foregoing **REPLY BRIEF** with the CM/ECF system which will send electronic notification to all counsel of record.

/s/Bennett D. Bryan

Bennett D. Bryan
Georgia Bar No. 157099