

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTH DIVISION**

**DEBORAH SPRINGER SUTTLAR, JUDY GREEN, FRED LOVE,
in his individual and official capacity as State Representative,
KWAMI ABDUL-BEY, CLARICE ABDUL-BEY, and
PAULA WITHERS,**

PLAINTIFFS

vs.

CASE NO. 60CV-22-1849

**JOHN THURSTON, in his official capacity
as the Secretary of State of Arkansas and in his official capacity
as the Chairman of the Arkansas State Board of Election Commissioners;
and SHARON BROOKS, BILENDA
HARRIS-RITTER, WILLIAM LUTHER,
CHARLES ROBERTS, WENDY BRANDON, JAMIE CLEMMER and
JAMES HARMON SMITH III, in their official capacities
as members of the Arkansas State Board of
Election Commissioners,**

DEFENDANTS

JOINT MOTION FOR STAY OF PROCEEDINGS

The parties respectfully submit this Motion for a stay of proceedings pending the Court’s resolution of Defendants’ Motion for Judgment on the Pleadings (dated September 1, 2022) and Plaintiffs’ Motion for Partial Summary Judgment (dated September 1, 2022) (the “Pending Motions”). The parties respectfully request that the Court decide the Pending Motions expeditiously, given that the Plaintiffs have requested relief ahead of the 2024 congressional elections, and thus time is of the essence in this litigation. The parties also request that the Court continue the bench trial date, currently set to begin in April 2023, to begin instead in July 2023, subject to the Court’s availability.

In support of this motion, the parties state as follows:

1. Following remand from federal district court, the parties filed the Pending Motions, which are fully briefed and ripe for decision by this Court. The Court’s ruling on these Pending

Motions will materially affect the issues that may eventually be presented at trial. That said, the parties were able to agree upon a pre-trial schedule and have proceeded with discovery while the Court has taken the Pending Motions under advisement.

2. Trial is currently set to begin on April 17, 2023. Under that stipulated schedule, fact discovery is set to close on February 10, 2023, and expert discovery will close on February 20.

3. Given that the Court's decision on the pending motions may impact further fact and expert discovery, the parties respectfully request that the Court stay all proceedings until the Pending Motions have been decided. The parties request that the Court continue the current trial date and direct the parties to consult with chambers and select a trial date later this year. The parties have conferred and agree to request that the trial date be continued until July 2023, subject to the Court's availability.

CONCLUSION

The parties respectfully request that the Court stay proceedings pending resolution of its determination of Defendants' Motion for Judgment on the Pleadings and Plaintiffs' Motion for Partial Summary Judgment.

Respectfully submitted,

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**Admitted pro hac vice*

***Pro hac vice application pending*

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CERTIFICATE OF SERVICE

I, Dylan L. Jacobs, hereby certify that on February 1, 2023, I electronically filed the foregoing with the Clerk of the Court using the Court's eflex system, which shall advise all parties of record.

/s/ Dylan L. Jacobs
Dylan L. Jacobs