

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

|                               |   |                                 |
|-------------------------------|---|---------------------------------|
| INDIANA DEMOCRATIC PARTY,     | ) |                                 |
| et al.,                       | ) |                                 |
| Plaintiffs,                   | ) |                                 |
|                               | ) |                                 |
| v.                            | ) | Cause No.: 1:05-CV-0634 SEB-VSS |
|                               | ) |                                 |
| TODD ROKITA, et al.,          | ) |                                 |
|                               | ) |                                 |
| Defendants,                   | ) |                                 |
|                               | ) |                                 |
| <hr/>                         |   |                                 |
| WILLIAM CRAWFORD, et al.,     | ) |                                 |
|                               | ) |                                 |
| Plaintiffs,                   | ) |                                 |
|                               | ) |                                 |
| v.                            | ) |                                 |
|                               | ) |                                 |
| MARION COUNTY ELECTION BOARD, | ) |                                 |
|                               | ) |                                 |
| Defendant,                    | ) |                                 |
|                               | ) |                                 |
| and                           | ) |                                 |
|                               | ) |                                 |
| STATE OF INDIANA,             | ) |                                 |
|                               | ) |                                 |
| Intervenor.                   | ) |                                 |

**The Marion County Election Board’s Motion for Summary Judgment**

The Marion County Election Board, by counsel, asks this Court for summary judgment on the following grounds:

1. Plaintiffs have no standing to bring this action.
2. Plaintiffs have demonstrated no violation of the Indiana Constitution.
3. Plaintiffs have no right to bring a private action under 42 U.S.C. § 1971.
4. Plaintiffs have demonstrated no violation of 42 U.S.C. § 1971.

**Designation of Evidence in Support of Motion for Summary Judgment**

The Marion County Election Board adopts and incorporates by reference the following evidence in support of its motion for summary judgment:

1. All exhibits submitted by Plaintiffs Indiana Democratic Party and the Marion County Democratic Central Committee as attachments to their Motion for Summary Judgment.
2. All exhibits submitted by Plaintiffs William Crawford, United Senior Action of Indiana, Indianapolis Resource Center for Independent Living, Concerned Clergy of Indianapolis, Indianapolis Branch of the NAACP, Indiana Coalition of Housing and Homeless Issues, and Joseph Simpson as attachments to their Motion for Summary Judgment.
3. All exhibits submitted by the remaining Defendants and Intervenor, State of Indiana, as attachments to their Motions for Summary Judgment.

WHEREFORE, the Marion County Election Board respectfully requests that the Court enter judgment in its favor and against the Plaintiffs, and for all other just and proper relief in the premises.

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Attorney for the Marion County  
Election Board

CERTIFICATE OF SERVICE

I hereby certify that on this 30<sup>th</sup> day of November, 2005, a copy of the foregoing was filed electronically with the Clerk of this Court. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system and the parties may access this filing through the Court's system.

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