

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OHIO A. PHILIP RANDOLPH INSTITUTE, <i>et al.</i>,	:	
	:	
Plaintiffs,	:	Case No. 2:16-cv-00303
	:	
v.	:	JUDGE GEORGE C. SMITH
	:	
SECRETARY OF STATE, FRANK LAROSE,	:	Magistrate Judge Deavers
	:	
Defendant.	:	

**JOINT STIPULATION AND ORDER RELATED TO
THE PRIMARY ELECTION ON MAY 7, 2019**

Using the Sixth Circuit’s mediation process, the Parties intend to engage in mediation related to Plaintiffs’ second cause of action. Upon consideration of this matter and to enable the Parties time to engage in mediation, this Court orders that the three Orders allowing certain voters to cast provisional ballots in recent elections (Docs. 89, 92, and 93) (together, the “APRI Exception”) shall be reinstated, in part, and implemented for the limited and sole purpose of the election on May 7, 2019. While the APRI Exception is implemented for the election on May 7, 2019, any portion of Docs 89, 92, or 93 that prohibit or limit the Supplemental Process or notices thereunder are not reinstated and remain vacated. The Secretary shall issue a directive or directives implementing the APRI Exception for the May election. This Order furthers judicial efficiency, avoids costs associated with additional briefing, and enables the Parties to discuss resolution. All Parties have reviewed and consent to this Order. This Order and the re-implementation of the APRI Exception for the limited and sole purpose of the election on May 7, 2019 shall not be considered the status quo of election administration in Ohio and shall not be of precedential value

for either Party in any briefing and litigation of Plaintiffs' second cause of action. The Secretary's arguments against any remedy proposed by Plaintiffs are preserved and shall not be affected, prejudiced, or diminished in any way by this Order. Neither Party is considered a prevailing party with respect to this Order.

Respectfully submitted,

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Ohio Attorney General

s/Naila Awan

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Dated: March 12, 2019

IT IS SO ORDERED.

s/ George C. Smith

**GEORGE C. SMITH
UNITED STATES DISTRICT JUDGE**