

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

NEW VIRGINIA MAJORITY EDUCATION  
FUND; VIRGINIA CIVIC ENGAGEMENT  
TABLE; LEAGUE OF WOMEN VOTERS  
OF VIRGINIA,

*Plaintiffs,*

v.

VIRGINIA DEPARTMENT OF ELECTIONS;  
VIRGINIA STATE BOARD OF  
ELECTIONS; ROBERT H. BRINK, in his  
official capacity as Chairman of the State  
Board of Elections; JOHN O'BANNON, in his  
official capacity as Vice Chair of the Board;  
CHRISTOPHER PIPER, in his official  
capacity as Commissioner of the Virginia  
Department of Elections; and JAMILAH D.  
LECRUISE, in her official capacity as  
Secretary of the Board,

*Defendants.*

Civil Action  
Case No. 3:20-CV-801

**PROPOSED ORDER**

The Court, having read and considered the arguments and representations of the parties, finds as follows:

THAT the voter registration deadline in Virginia, as established by Virginia law, was Tuesday, October 13, *see* Va. Code § 24.2-416;

THAT on the morning of October 13, 2020, a fiber optic cable was severed that hindered service to Virginia voter registration websites. That service was restored prior to 4:00 p.m. that day;

THAT the outage resulted in the inability of Virginians who attempted to register electronically to vote to accomplish their registration;

THAT Virginia state law does not authorize the Defendants to extend the deadline established by the Virginia Code for voter registration; and

THAT Plaintiffs brought suit against Defendants on October 13, 2020 to request a judicial extension of the voter registration deadline in order to accommodate Virginia citizens who claim that their rights were violated when they were unable to register prior to the statutory deadline.

WHEREFORE, it is hereby ORDERED that:

1. Plaintiffs' MOTION FOR TEMPORARY RESTRAINING ORDER AND EMERGENCY INJUNCTIVE RELIEF is GRANTED;
2. Defendants are directed to take all action necessary to extend the October 13, 2020 registration deadline until 11:59 pm on Thursday, October 15, 2020;
3. The parties are ordered to take all action necessary to provide notice to the public of the reopening and extension of this deadline;
4. Defendants are ordered to provide additional information to the public and to voters attempting to register of alternative methods by which individuals may register to vote, in the event of a system outage during the extension period; and
5. In accordance with the terms of this Consent Decree, the Consent Parties shall each bear their own fees, expenses, and costs incurred as of the date of this Order, with respect to all claims raised by Plaintiffs against the Defendants.

WHEREFORE, it is further ORDERED that this matter be, and hereby is, dismissed with prejudice.

\_\_\_\_\_  
United States District Judge  
Date: \_\_\_\_\_, 2020

SEEN AND AGREED:

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