

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF VIRGINIA; VIRGINIA
STATE BOARD OF ELECTIONS; and SUSAN
BEALS, in her official capacity as Commissioner
of Elections,

Defendants.

Case No. 24-cv-01807

OPPOSED MOTION FOR A PRELIMINARY INJUNCTION

Plaintiff United States of America (“United States”), pursuant to Rule 65 of the Federal Rules of Civil Procedure, moves for entry of a preliminary injunction to remedy violations of the Quiet Period Provision, Section 8(c)(2) of the National Voter Registration Act, 52 U.S.C. § 20507(c)(2). On October 11, 2024, the United States filed a complaint in this Court alleging violations of the Quiet Period Provision arising from the ongoing implementation by the Commonwealth of Virginia, the Virginia State Board of Elections, and Susan Beals in her official capacity as the Commissioner of Elections (Virginia Defendants) of a “program” with “the purpose of . . . systematically remov[ing] the names of ineligible voters from the official lists of eligible voters” within 90 days of the November 5 federal General Election. 52 U.S.C. § 20507(c)(2)(A). Specifically, the Virginia Defendants violated the Quiet Period Provision by continuing to implement, pursuant to the Virginia Governor’s Executive Order 35, a program intended to remove the names of ineligible voters from registration lists based on failure to meet initial eligibility requirements less than 90 days before a general election for federal office.

In support of its motion, the United States asserts that (1) it is substantially likely to prevail on the merits of its claim under the Quiet Period Provision, (2) unless enjoined, the Virginia Defendants' continued violation of the Quiet Period provision will irreparably harm the United States and qualified U.S. citizen Virginia voters, (3) the United States' interest in protecting the rights of qualified U.S. citizen Virginia voters outweighs any burden imposed on the Virginia Defendants, and (4) enjoining the Virginia Defendants' violation of the Quiet Period Provision will serve the public interest.

The basis for the United States' motion is set forth in the accompanying Brief in Support of the United States' Motion for a Preliminary Injunction, as well as supporting evidence. A proposed order also accompanies this filing.

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Date: October 16, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2024, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will send notification of this filing to counsel of record. I will send counsel for the state defendants this filing via email.

/s/ Sejal Jhaveri _____

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