

**STATE OF MICHIGAN
IN THE COURT OF CLAIMS**

ROBERT DAVIS,

Plaintiff,

v.

Case No. 20-000099-MM

JOCELYN BENSON, in her official
capacity as the duly elected Michigan
Secretary of State,

Hon. Cynthia Diane Stephens

Defendant.

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**Motion for Admission Pro Hac Vice Pending*

**DATE 6/12/2020 MOTION OF PROSPECTIVE *AMICUS CURIAE* COUNT MI VOTE,
d/b/a VOTERS NOT POLITICIANS' FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF**

Prospective *Amicus Curiae* Count MI Vote, d/b/a Voters Not Politicians (“VNP”), respectfully moves the Court for leave to file an *Amicus Curiae* Brief in Opposition to Plaintiff’s Emergency Motion for Declaratory Judgment, and states the following in support:

1. VNP is a nonpartisan 501(c)(4) organization dedicated to engaging Michigan citizens in effective actions to strengthen our democracy. VNP sponsored Proposal 2018-2, which amended Michigan’s Constitution to create a new independent citizens redistricting commission to draw state legislative and congressional district lines, thereby eliminating the abuses of partisan gerrymandering. VNP is a proponent of the public’s right to engage in the initiative and referendum process, and in particular supports efforts to foster more inclusive and accessible voting systems. VNP strongly supports policies designed to promote convenient voting by absentee ballot, and in particular supports the mailing of absentee ballot applications to voters to effectuate Michiganders’ constitutional right to cast absentee ballots.

2. With this motion, VNP has filed its proposed *Amicus Curiae* Brief in Opposition to Plaintiff’s Emergency Motion for Declaratory Judgment.

3. On June 11, 2020, VNP contacted *pro per* Plaintiff Robert Davis and counsel for Defendant Secretary Benson seeking their concurrence with the relief sought by this Motion in accordance with Court of Claims Rule 2.119(A)(2). This request was reiterated by a second request sent on June 12, 2020. Plaintiff Davis and Counsel for Defendant Secretary of State have responded, granting the requested concurrence.

4. VNP submits this proposed *Amicus Curiae* brief to aid the Court in understanding the issues in this case, particularly with respect to the effect of Proposal 2018-3’s addition of a constitutional right to vote by absentee ballot and how that informs the Secretary’s authority to provide voters with absentee ballot applications.

WHEREFORE, Prospective *Amicus Curiae* VNP respectfully requests that this Honorable Court grant its Motion for Leave to File *Amicus Curiae* Brief, and that its proposed Brief of *Amicus Curiae*, filed herewith, be accepted for filing and considered by the Court in deciding the important issues presented in this matter.

Respectfully submitted,

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*Motion for admission *pro hac vice* pending

Dated: June 12, 2020