

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

National Election Defense Coalition, :
Citizens For Better Elections, :
Rich Garella, Rachel A. Murphy, :
Caroline Leopold, Stephen Strahs, :
Kathleen Blanford, Sharon Strauss, :
Anne C. Hanna, Raphael Y. Rubin, :
Robert F. Werner, :
Sandra O'Brien-Werner, :
Thomas P. Bruno, Jr., :
Roger Dreisbach-Williams, :
and Jeff R. Faubert, :

Petitioners :

v. :

No. 674 M.D. 2019

Kathy Boockvar, Secretary of the :
Commonwealth, :

Respondent :

PER CURIAM

ORDER

NOW, this 17th day of January, 2020, upon consideration of Respondent's Application to Stay Preliminary Injunction Proceedings Pending Resolution of Preliminary Objections and Parallel Federal Court Motion (Application) and upon consideration of Respondent's Notice of Procedural Development Regarding Respondent's Application, it is hereby ORDERED that the Application is DENIED.

Many of Respondent's arguments in support of the Application go to the merits of whether this Court should issue the preliminary injunction that Petitioners seek in this matter. They do not justify a stay of the Court's

consideration of Petitioners' request for preliminary injunctive relief. Moreover, as Respondent acknowledges, the Court raised *sua sponte* the jurisdictional issue of whether Petitioners have joined all indispensable parties and has scheduled oral argument on that question in advance of the scheduled proceedings on Petitioners' Application. The Court has no intention of granting relief to Petitioners before determining whether the Court has subject matter jurisdiction to do so. Finally, Respondent offers no legal support for her request that this Court stay this proceeding in deference to a separate motion filed in the United States District Court for the Eastern District of Pennsylvania, particularly where this action involves claims based on a Pennsylvania statute and the Pennsylvania Constitution.

Certified from the Record

JAN 17 2020

And Order Exit