

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA

PENNSYLVANIA DEMOCRATIC
PARTY, 510 N. Third Street, Harrisburg, PA
17101,

Plaintiff,

v.

ERIE COUNTY BOARD OF ELECTIONS,

Defendant.

CIVIL DIVISION

No. G.D. 12666-24

CONSENT ORDER

AND NOW, this 31st day of October, 2024, upon the consent of Plaintiff Pennsylvania Democratic Party ("PDP"), Defendant Erie County Board of Elections ("Erie BOE"), and proposed intervenor Republican Party of Pennsylvania ("Proposed Republican Intervenor") it is hereby ORDERED as follows:

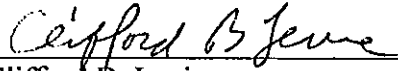
WHEREAS, PDP initiated the instant suit against the Erie BOE seeking mandamus and injunctive relief to enforce provisions of the Election Code. Specifically, PDP alleges that the Erie BOE has retained a vendor- Election IQ ("Vender")- to process and send out mail-in that have been requested by eligible voters for the upcoming 2024 General Election, and that Vender has failed to do so, resulting in some voters not receiving a mail-in ballot, while others have received two mail-in ballots.

WHEREAS, Proposed Republican Intervenor seeks to intervene in this matter, as it likewise has an interest in determining whether the Erie BOE is properly processing applications for mail-in ballots for the 2024 General Election on behalf of Republican candidates who are seeking elected office on the ballot in Erie County.

WHEREAS, PDP and the Erie BOE do not object to the Proposed Republican Intervenor's request to intervene in this matter.

THEREFORE, it is hereby ORDERED that the Republican Party of Pennsylvania is permitted to intervene in this matter. The Erie County Prothonotary is ORDERED to add the Republican Party of Pennsylvania as an intervenor, and all parties moving forward shall include such party on all pleadings and correspondence.

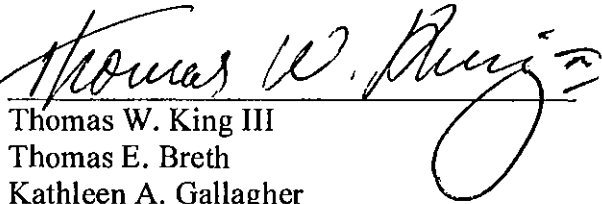
CONSENTED BY:



Clifford B. Levine
Timothy D. McNair
Counsel for Plaintiff Pennsylvania Democratic Party

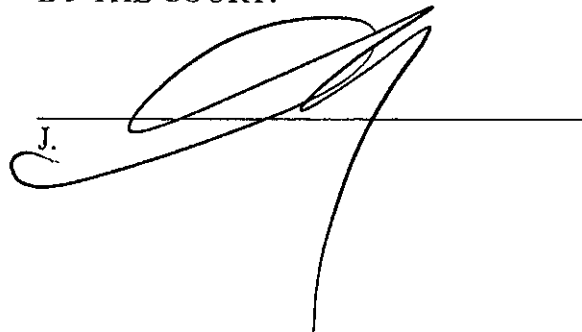


Thomas S. Talarico
Counsel for Defendant Erie County Board of Elections



Thomas W. King III
Thomas E. Breth
Kathleen A. Gallagher
Counsel for Intervenor Republican Party of Pennsylvania

BY THE COURT:



J.

PENNSYLVANIA DEMOCRATIC PARTY, Plaintiff,

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

v.

ERIE COUNTY BOARD OF ELECTIONS, Defendant,

CIVIL ACTION - LAW

and

No. 12666-2024

PENNSYLVANIA REPUBLICAN PARTY, Intervenor.


COMMON PLEAS COURT ERIE, PA
2024 NOV - 1 PM 1:46
CLERK OF RECORDS PROTHONOTARY

ORDER

On this 1st day of November 2024, upon consideration of the testimony of several witnesses, including the Erie County Board of Elections officials and personnel and the Vice President of the Board's vendor, Election IQ, Daniel Chalupsky, it is HEREBY ORDERED that Daniel Chalupsky or any employee of Election IQ, shall personally deliver the previously requested materials to the Erie County Board of Elections, not later than 5:30 pm on November 1, 2024.

The Erie County Board of Elections is directed to scan and email this order to Election IQ immediately upon receipt.

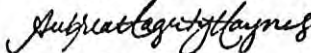
BY THE COURT:



David Ridge, Judge J.

cc: Clifford Levine, Esquire
Tim McNair, Esquire
Thomas Talarico, Esquire
Thomas King, Esquire
Kathleen Gallagher, Esquire
Election IQ

I, Aubrea Hagerty-Haynes Prothonotary of the Court of Common Pleas of Erie County, PA., do certify that this is a true and correct copy of the original record filed in said court.


Prothonotary:

Date: 11/1/24 Deputy: KB