

IN THE COMMONWEALTH OF PENNSYLVANIA
COURT OF COMMON PLEAS OF MONTGOMERY COUNTY
CIVIL DIVISION

DAVID MCCORMICK, REPUBLICAN
NATIONAL COMMITTEE and
REPUBLICAN PARTY OF PENNSYLVANIA

Petitioners,

v.

MONTGOMERY COUNTY BOARD OF
ELECTIONS

Respondent.

No. 2024-26283

ELECTION APPEAL

NOTICE OF SUPPLEMENTAL AUTHORITY

Petitioners David McCormick, Republican National Committee and the Republican Party of Pennsylvania, by counsel, hereby submit this Praecipe of Supplemental Authority in Support of their Petition for Review in the Nature of Statutory Appeal and attach hereto as Exhibit A the Order of the Supreme Court of Pennsylvania entered today, November 18, 2024, in the matter of *The Republican National Committee and the Republican Party of Pennsylvania v. All 67 County Board of Elections, 136 MM 2024*. In that regard, the Order provides in pertinent part:

Petitioners' Application for the Exercise of King's Bench Power or Extraordinary Jurisdiction is **GRANTED** in part. The Court hereby **ASSUMES** its King's Bench authority over the instant Application, see 42 Pa.C.S. § 502, only to **DIRECT** that all Respondents, including the Boards of Elections in Bucks

County, Montgomery County, and Philadelphia County, **SHALL COMPLY** with the prior rulings of this Court in which we have clarified that mail-in and absentee ballots that fail to comply with the requirements of the Pennsylvania Election Code, see 25 P.S. §§ 3146.6(a), 3150.16(a), **SHALL NOT BE COUNTED** for purposes of the election held on November 5, 2024. See *Ball v. Chapman*, 289 A.3d 1, 28 (Pa. 2023).

Accordingly, Petitioners request that the Court immediately enter the proposed order attached hereto.

Dated: November 18, 2024

Respectfully submitted,

/s/ Walter S. Zimolong
WALTER S. ZIMOLONG, ESQUIRE
Attorney I.D. No. 89151
wally@zimolonglaw.com
JAMES J. FITZPATRICK, ESQUIRE
Attorney I.D. No. 320497
james@zimolonglaw.com
ZIMOLONG LLC
353 W. Lancaster Avenue, Suite 300
Wayne, PA 19087
(215) 665-0842

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ORDER [PROPOSED]

AND NOW, this ___ day of November, 2024, pursuant to the Order of the Supreme Court of Pennsylvania entered on November 18 2024, in the matter of *The Republican National Committee and the Republican Party of Pennsylvania v. All 67 County Board of Elections, 136 MM 2024*, Petitioners' Petition for Review in the Nature of Statutory Appeal is hereby GRANTED. The Bucks County Board of Elections is immediately ordered to not count any undated and /or misdated absentee and / or mail in ballots cast in the November 5, 2024, General Election.

BY THE COURT:

J.