

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

AMBER IVEY,

Plaintiff,

v.

LINDA H. LAMONE,

Defendant.

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Case No. 1:20-cv-01995-RDB

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CONSENT JUDGMENT

WHEREAS, plaintiff, Amber Ivey filed this action on July 7, 2020 against Linda H. Lamone, in her official capacity as State Administrator of Elections, seeking declaratory and injunctive relief; and

WHEREAS, the claims asserted by Plaintiff relate to her effort to gain access to the November 3, 2020 ballot as an unaffiliated candidate for election to the United States House of Representatives representing Maryland's 7th Congressional District; and

WHEREAS, to obtain the nomination as an unaffiliated candidate for election in Maryland, a candidate must submit a petition bearing the signatures of the lesser of 10,000 registered voters or 1% of the total number of registered voters who are eligible to vote for the office for which the nomination by petition is sought, except that the petition must be signed by at least 250 registered voters who are eligible to vote for that office, by August 3, 2020, Md. Code Ann., Elec. Law § 5-703(e); and

WHEREAS, by operation of Election Law § 5-703(e), in this election cycle an unaffiliated candidate for Maryland's 7th Congressional District would be required to submit a petition bearing the signatures of 5,067 Maryland registered voters, of which at least 250 must be eligible to vote in that contest; and

WHEREAS, Plaintiff alleged in her complaint that certain governmental restrictions imposed in response to the COVID-19 pandemic have hindered Plaintiff's efforts to gather signatures on her petition to obtain the nomination as an unaffiliated candidate for election to the U.S. House of Representatives representing Maryland's 7th Congressional District; and

WHEREAS, to facilitate the gathering of signatures during the COVID-19 pandemic, the State Board of Elections on April 22, 2020, promulgated SBE Policy 2020-01, which authorized the use of electronic signatures on petitions for recognition of political parties, petitions for nomination as an unaffiliated candidate, and petitions to place questions on the November 3, 2020 Presidential General Election ballot; and

WHEREAS, Plaintiff and Defendant have reached a settlement of the claims asserted in this case, including the resolution of any potential claim for attorneys' fees by the Plaintiffs, under which the parties have agreed to the entry of this consent judgment, and filed a Joint Motion for Consent Judgment; and

WHEREAS, Plaintiff and Defendant agree that the relief provided in this consent judgment should be available to all candidates seeking unaffiliated nominations via petition pursuant to Election Law § 5-703(e), for placement on the November 3, 2020 Presidential General Election ballot;

Accordingly, it is this 20th day of July 2020, hereby

ORDERED that the Joint Motion is GRANTED; and it is further

ORDERED that judgment is entered in favor of Plaintiff and against Defendant Administrator Lamone in her official capacity only to the following extent: the number of signatures of eligible Maryland registered voter required for candidates who seek nomination by petition pursuant to Elec. Law § 5-703(e) is reduced by 50% to the lesser of 5,000 registered voters or 0.5% of the total number of registered voters who are eligible to vote for the office for which the nomination by petition is sought, except that the petitions shall be signed by at least 125 registered voters who are eligible to vote for the office in question; and it is further

ORDERED, that all other relief sought by the complaint is denied; and it is further

ORDERED, that if the State of Maryland cannot identify funds to satisfy payment of the attorneys' fee amounts required by separate agreement of the Parties, Plaintiff shall have the right to reopen the proceedings in this case to pursue claims for costs and attorneys' fees in this Court.


Richard D. Bennett
United States District Judge