

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

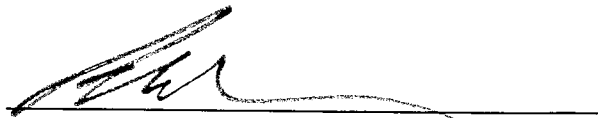
Kathy Boockvar, Secretary of the :
Commonwealth, :

Respondent :

ORDER

NOW, this 24th day of January, 2020, following oral argument on January 23, 2020, with respect to the question of whether the counties of Philadelphia, Northampton, and Cumberland are indispensable to the resolution of Petitioner's Application for Special Relief in the Nature of a Preliminary Injunction (Application), and upon consideration of Petitioners' Praecipe to Clarify Relief Sought in this Application, in which Petitioners represent that the relief they seek through the Application is limited to an order directing Respondent to decertify the ExpressVote XL voting machine, the Court concludes that it may proceed preliminarily for purposes of the Application without the above-named counties being joined as indispensable parties. This Order is entered without prejudice to Respondent's Preliminary Objection raising the issue of whether the above-named

counties are indispensable parties to the litigation, which will be considered by the Court at a later date.

A handwritten signature in black ink, appearing to read 'P. Brobson', is written over a horizontal line.

P. Kevin Brobson, Judge

Certified from the Record

JAN 24 2020

And Order Exit