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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-02295-EGS**

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF
COLORED PEOPLE v. UNITED STATES POSTAL SERVICE et
al

Assigned to: Judge Emmet G. Sullivan

Cases: [1:20-cv-02262-EGS](#)

[1:20-cv-02340-EGS](#)

[1:20-cv-02405-EGS](#)

Cause: 05:0706 Judicial Review of Agency Actions

Date Filed: 08/20/2020

Jury Demand: None

Nature of Suit: 890 Other Statutory Actions

Jurisdiction: U.S. Government Defendant

Plaintiff

**NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED
PEOPLE**

represented by **Allison Marcy Zieve**
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V.

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LOUIS DEJOY
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Amicus**UNITED STATES HOUSE OF REPRESENTATIVES**

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Date Filed	#	Docket Text
08/20/2020	1	COMPLAINT <i>FOR DECLARATORY AND INJUNCTIVE RELIEF</i> against All Defendants (Filing fee \$ 400 receipt number ADCDC-7486929) filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. (Attachments: # 1 Summons to USPS, # 2 Summons to US Attorney's Office, # 3 Summons to Louis DeJoy, # 4 Summons to Attorney General, # 5 Civil Cover Sheet)(Zieve, Allison) (Entered: 08/20/2020)
08/20/2020	2	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Zieve, Allison) (Entered: 08/20/2020)
08/20/2020		Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 08/20/2020)
08/20/2020	3	SUMMONS (4) Issued Electronically as to LOUIS DEJOY, UNITED STATES POSTAL SERVICE, U.S. Attorney and U.S. Attorney General (Attachments: # 1 Notice and Consent) (zmd) (Entered: 08/20/2020)
08/20/2020	4	NOTICE of Appearance by Samuel Spital on behalf of NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Spital, Samuel) (Entered: 08/20/2020)
08/25/2020	5	NOTICE OF RELATED CASE by All Plaintiffs. Case related to Case No. 20-2340. (Zieve, Allison) (Entered: 08/25/2020)
08/25/2020	6	NOTICE OF RELATED CASE by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. Case related to Case No. 20-2262. (Zieve,

		Allison) (Entered: 08/25/2020)
09/01/2020	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/27/2020. Answer due for ALL FEDERAL DEFENDANTS by 10/26/2020. (Zieve, Allison) (Entered: 09/01/2020)
09/01/2020	8	MOTION for Preliminary Injunction by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Attachments: # 1 Memorandum in Support, # 2 Declaration Declaration of Carmen Watkins, # 3 Declaration Declaration of Earl Graham, # 4 Text of Proposed Order, # 5 Certificate of Service)(Zieve, Allison) (Entered: 09/01/2020)
09/01/2020	9	NOTICE of Appearance by Joseph Evan Borson on behalf of UNITED STATES POSTAL SERVICE (Borson, Joseph) (Entered: 09/01/2020)
09/01/2020	10	Case directly reassigned to Judge Emmet G. Sullivan as related. Judge Tanya S. Chutkan is no longer assigned to the case. (ztnr) (Entered: 09/01/2020)
09/01/2020		MINUTE ORDER. The Court, sua sponte, directs the parties to show cause why this action should not be consolidated as related with Richardson v. Trump, 20-2262; State of New York v. Trump, 20-2340; and Vote Forward v. DeJoy, 20-2405 by no later than September 4, 2020 at 12:00 PM. See Fed. R. Civ. P. 42(a) (permitting the court to consolidate actions "involv[ing] a common question of law or fact"); Local Civ. R. 40.5(a)(3) (defining related civil actions). Signed by Judge Emmet G. Sullivan on 9/1/2020. (lcegs3) (Entered: 09/01/2020)
09/01/2020		MINUTE ORDER. In view of 8 motion for preliminary injunction, the parties shall file a joint status report by no later than September 8, 2020 at 12:00 PM with recommendations for further proceedings, including, inter alia, (1) whether the National Association for the Advancement of Colored People's ("NAACP") motion for a preliminary injunction should be consolidated with the merits under Federal Rule of Civil Procedure 65; and (2) recommendations for further proceedings including, if necessary, a briefing schedule for NAACP's motion for a preliminary injunction. Signed by Judge Emmet G. Sullivan on 9/1/2020. (lcegs3) (Entered: 09/01/2020)
09/02/2020		Set/Reset Deadlines: Joint Status Report due no later than 12:00PM on 9/8/2020. (mac) (Entered: 09/02/2020)
09/02/2020		Set/Reset Deadlines: Parties Show Cause due no later than 12:00PM on 9/4/2020. (mac) (Entered: 09/02/2020)
09/04/2020	11	RESPONSE TO ORDER TO SHOW CAUSE by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE re Order., <i>to show cause why this action should not be consolidated</i> filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. (Zieve, Allison) (Entered: 09/04/2020)
09/04/2020	12	NOTICE of Appearance by Kuntal Virendra Cholera on behalf of All Defendants (Cholera, Kuntal) (Main Document 12 replaced on 9/4/2020) (zjf). (Entered: 09/04/2020)
09/04/2020	13	RESPONSE TO ORDER TO SHOW CAUSE by LOUIS DEJOY, UNITED STATES POSTAL SERVICE re Order., filed by LOUIS DEJOY, UNITED STATES POSTAL SERVICE. (Cholera, Kuntal) (Entered: 09/04/2020)
09/04/2020	14	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 09/04/20. (Attachment: # 1 Exhibit 1) (mac) (Entered: 09/04/2020)

09/04/2020	15	Joint MOTION for Protective Order by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Text of Proposed Order)(Borson, Joseph) (Entered: 09/04/2020)
09/05/2020		MINUTE ORDER. It is hereby ORDERED that by September 10, 2020, Plaintiff shall deliver to Chambers three printed courtesy copies of 8 Plaintiff's motion for preliminary injunction. The parties may deliver their courtesy copies via overnight mail or by hand delivery to the Courthouse loading dock located at the corner of 3rd and C Streets, N.W. The courtesy copies must include the headers added by the Case Management/Electronic Case Files (CM/ECF) System and be submitted in binders, three-hole punched, with single-sided pages. All exhibits shall be tabbed and indexed for ease of reference. The parties shall deliver to Chambers three courtesy copies of any future filing, including exhibits, in connection with 8 motion for preliminary injunction. Signed by Judge Emmet G. Sullivan on 9/5/2020. (lcegs3) (Entered: 09/05/2020)
09/05/2020		MINUTE ORDER. In view of 11 and 13 responses to order to show cause, as well as the responses from parties in Richardson v. Trump, 20-2262; State of New York v. Trump, 20-2340; and Vote Forward v. DeJoy, 20-2405, the Court shall not consolidate the cases as related pursuant to Federal Rule of Civil Procedure 42(a) and Local Civil Rule 40.5(a)(3). It is ORDERED that the parties shall coordinate schedules for discovery purposes to the extent possible. Signed by Judge Emmet G. Sullivan on 9/5/2020. (lcegs3) (Entered: 09/05/2020)
09/05/2020	16	MINUTE ORDER granting 15 joint motion for entry of a protective order. Signed by Judge Emmet G. Sullivan on 9/5/2020. (lcegs3) (Entered: 09/05/2020)
09/08/2020	17	Joint STATUS REPORT by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. (Zieve, Allison) (Entered: 09/08/2020)
09/08/2020	18	MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiff</i> by RICHARD BLUMENTHAL, CORY A. BOOKER, SHERROD BROWN, TOM CARPER, MAZIE K. HIRONO, AMY KLOBUCHAR, EDWARD J. MARKEY, Jeffrey A. Merkley, JACK REED, BERNARD SANDERS, JEANNE SHAHEEN, ELIZABETH WARREN, SHELDON WHITEHOUSE, RON WYDEN (Attachments: # 1 Exhibit Proposed Brief of Members of Congress as Amici Curiae in Support of Plaintiff, # 2 Text of Proposed Order) (Gorod, Brianne) (Entered: 09/08/2020)
09/09/2020		MINUTE ORDER. In view of 17 joint status report, the parties shall adhere to the following briefing schedule on 8 Plaintiff's motion for preliminary injunction: (1) Defendants shall file their opposition by September 11, 2020 at 12:00 PM; and (2) Plaintiff shall file its reply by no later than September 16, 2020. Signed by Judge Emmet G. Sullivan on 9/9/2020. (lcegs3) (Entered: 09/09/2020)
09/09/2020		MINUTE ORDER granting 18 motion for leave to file amici curiae brief by MEMBERS OF CONGRESS. Signed by Judge Emmet G. Sullivan on 9/9/2020. (lcegs3) (Entered: 09/09/2020)
09/09/2020	22	AMICUS BRIEF by RICHARD BLUMENTHAL, CORY A. BOOKER, SHERROD BROWN, TOM CARPER, MAZIE K. HIRONO, AMY KLOBUCHAR, EDWARD J. MARKEY, JEFFREY A. MERKLEY, JACK REED, BERNARD SANDERS, JEANNE SHAHEEN, ELIZABETH WARREN, SHELDON WHITEHOUSE, RON WYDEN. (zjf) (Entered: 09/13/2020)
09/10/2020		Set/Reset Deadlines: Defendants Opposition due no later than 12:00PM on 9/11/2020. Plaintiff Reply due by 9/16/2020. (mac) (Entered: 09/10/2020)
09/10/2020	19	NOTICE of Appearance by Douglas N. Letter on behalf of UNITED STATES HOUSE OF

		REPRESENTATIVES (Letter, Douglas) (Entered: 09/10/2020)
09/10/2020	20	Unopposed MOTION for Leave to File <i>Amicus Curiae Brief in Support of Plaintiff</i> by UNITED STATES HOUSE OF REPRESENTATIVES (Attachments: # 1 Exhibit Proposed Brief of U.S. House of Representatives as Amicus Curiae in Support of Plaintiff, # 2 Text of Proposed Order)(Letter, Douglas) (Entered: 09/10/2020)
09/11/2020	21	Memorandum in opposition to re 8 MOTION for Preliminary Injunction filed by LOUIS DEJOY, UNITED STATES POSTAL SERVICE. (Attachments: # 1 Exhibit 1-15, # 2 Declaration (Barber, Citron, Curtis), # 3 Declaration (Colin, Couch, DeChambeau, Glass, Prokity, Vo), # 4 Text of Proposed Order)(Borson, Joseph) (Entered: 09/11/2020)
09/15/2020	23	Consent MOTION for Leave to File <i>Supplemental Declarations in Support of Motion for a Preliminary Injunction</i> by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Attachments: # 1 Text of Proposed Order)(Zieve, Allison) (Entered: 09/15/2020)
09/15/2020	24	Unopposed MOTION for Leave to File <i>Supplemental Declarations</i> by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Declaration Cintron (Supp.), # 2 Declaration Curtis (Supp.), # 3 Text of Proposed Order)(Borson, Joseph) (Entered: 09/15/2020)
09/16/2020		MINUTE ORDER granting 24 unopposed motion to file supplemental declarations. Signed by Judge Emmet G. Sullivan on 9/16/2020. (lcegs3) (Entered: 09/16/2020)
09/16/2020		MINUTE ORDER granting 23 unopposed motion to file supplemental declarations. Signed by Judge Emmet G. Sullivan on 9/16/2020. (lcegs3) (Entered: 09/16/2020)
09/16/2020	25	REPLY to opposition to motion re 8 MOTION for Preliminary Injunction filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. (Attachments: # 1 Declaration of Allison Zieve, # 2 Declaration (Second) of Earl Graham) (Zieve, Allison) (Entered: 09/16/2020)
09/18/2020	26	NOTICE OF SUPPLEMENTAL AUTHORITY by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Zieve, Allison) (Entered: 09/18/2020)
09/22/2020	27	NOTICE OF SUPPLEMENTAL AUTHORITY by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Zieve, Allison) (Entered: 09/22/2020)
09/22/2020		MINUTE ORDER granting 20 motion for leave to file amicus curiae brief in support of Plaintiff by UNITED STATES HOUSE OF REPRESENTATIVES. Signed by Judge Emmet G. Sullivan on 9/22/2020. (lcegs3) (Entered: 09/22/2020)
09/22/2020	28	AMICUS BRIEF by UNITED STATES HOUSE OF REPRESENTATIVES. (zjf) (Entered: 09/25/2020)
09/27/2020	29	NOTICE of <i>Supplemental Materials</i> by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Exhibit A - Supplemental Operating Instructions, # 2 Exhibit B - Stand-Up Talk, # 3 Exhibit C - Additional Election-Mail Resources)(Borson, Joseph) (Entered: 09/27/2020)
09/30/2020	30	NOTICE OF SUPPLEMENTAL AUTHORITY by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Zieve, Allison) (Entered: 09/30/2020)
10/10/2020	31	ORDER granting 8 Motion for Preliminary Injunction. Signed by Judge Emmet G. Sullivan on 10/10/2020. (lcegs1) (Entered: 10/10/2020)
10/10/2020	32	MEMORANDUM OPINION. Signed by Judge Emmet G. Sullivan on 10/10/2020. (lcegs1) (Entered: 10/10/2020)

10/22/2020	33	NOTICE of Appearance by John Robinson on behalf of All Defendants (Robinson, John) (Entered: 10/22/2020)
10/22/2020	34	Unopposed MOTION for Extension of Time to File Answer re 1 Complaint, by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Text of Proposed Order)(Robinson, John) (Entered: 10/22/2020)
10/22/2020	35	Emergency MOTION to Enforce <i>And Monitor Compliance with Preliminary Injunction</i> by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Attachments: # 1 Memorandum in Support, # 2 Text of Proposed Order, # 3 Exhibit Index, # 4 Exhibit A, # 5 Exhibit B, # 6 Exhibit C, # 7 Exhibit D, # 8 Exhibit E, # 9 Exhibit F, # 10 Exhibit G, # 11 Exhibit H, # 12 Exhibit I, # 13 Exhibit J, # 14 Exhibit K)(Spital, Samuel). Added MOTION to Expedite on 10/23/2020 (znmw). (Entered: 10/22/2020)
10/22/2020		MINUTE ORDER granting 34 unopposed motion for extension of time to file answer. Defendants shall answer or otherwise respond to Plaintiffs' Complaint by no later than December 10, 2020. Signed by Judge Emmet G. Sullivan on 10/22/2020. (lcegs3) (Entered: 10/22/2020)
10/22/2020		MINUTE ORDER. In view of 35 emergency motion to enforce and monitor compliance with preliminary injunction, Defendants are directed to file their response to the motion by no later than October 23, 2020 at 3:00 PM. Signed by Judge Emmet G. Sullivan on 10/22/2020. (lcegs3) (Entered: 10/22/2020)
10/22/2020		Set/Reset Deadlines: Defendant Answer Or Otherwise Response To The Complaint due by 10/10/2020, Defendants Response To The Motion due no later than 3:00PM on 10/23/2020 (mac) (Entered: 10/22/2020)
10/23/2020	36	Memorandum in opposition to re 35 Emergency MOTION to Enforce <i>And Monitor Compliance with Preliminary Injunction</i> MOTION to Expedite filed by LOUIS DEJOY, UNITED STATES POSTAL SERVICE. (Attachments: # 1 Exhibit A - I)(Borson, Joseph) (Entered: 10/23/2020)
10/23/2020		MINUTE ORDER. In view of 36 opposition to the emergency motion to enforce and monitor compliance with the preliminary injunction, Plaintiff shall file its reply by no later than October 26, 2020 at 12:00 PM. It is FURTHER ORDERED that a motion hearing is scheduled for October 27, 2020 at 11:00 AM via VIDEO TELECONFERENCE (VTC). The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 10/23/2020. (lcegs3) (Entered: 10/23/2020)
10/26/2020		Set/Reset Deadlines/Hearings: Motion Hearing set for 10/27/2020 at 11:00 AM in Telephonic/VTC before Judge Emmet G. Sullivan. Plaintiffs Reply due no later than 12:00PM on 10/27/20 (mac) (Entered: 10/26/2020)
10/26/2020	37	REPLY to opposition to motion re 35 Emergency MOTION to Enforce <i>And Monitor Compliance with Preliminary Injunction</i> MOTION to Expedite filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE. (Zieve, Allison) (Entered: 10/26/2020)
10/26/2020		MINUTE ORDER. In view of 37 Plaintiff's reply brief, in which Plaintiff requests for the first time that the Court order Defendants to take certain additional actions to comply with the Court's Order, ECF No. 31, Plaintiff shall file a revised proposed order by no later than October 27, 2020 at 8:00 AM setting out the precise relief it seeks. Signed by Judge Emmet G. Sullivan on 10/26/2020. (lcegs3) (Entered: 10/26/2020)
10/26/2020	38	NOTICE of Proposed Order by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE re Order, (Spital, Samuel) (Entered: 10/26/2020)

		10/26/2020)
10/27/2020		Set/Reset Deadlines: Plaintiffs Revised Proposed Order due no later than 8:00AM on 10/27/20. (mac) (Entered: 10/27/2020)
10/27/2020		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Motion Hearing held on 10/27/2020. Until Further Notice, The Court Will Have A Daily Hearing at 3:00PM. Proposed Revised Or Competing Order due no later than 2:30PM on 10/27/2020. Hearing is set for 10/28/2020 at 3:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Court Reporter SARA WICK.) (mac) (Entered: 10/27/2020)
10/27/2020	39	NOTICE of Proposed Order (<i>Joint</i>) by LOUIS DEJOY, UNITED STATES POSTAL SERVICE re Motion Hearing,, Set Deadlines/Hearings, (Borson, Joseph) (Entered: 10/27/2020)
10/27/2020		MINUTE ORDER granting 35 emergency motion to enforce and monitor compliance with preliminary injunction. It is hereby ORDERED that by no later than 9:00 AM on October 28, 2020, Defendants shall issue a one-page notice to Area Vice Presidents, Managers of Operations Support, and any other United States Postal Service ("USPS") personnel who were previously informed about the guidelines issued on July 14, 2020, by USPS Vice President of Logistics, Robert Cintron, regarding the use of late and extra trips: (1) "The guidelines issued on July 14, 2020, by USPS Vice President of Logistics, Robert Cintron, regarding the use of late and extra trips are rescinded;" and (2) "USPS personnel are instructed to perform late and extra trips to the maximum extent necessary to increase on-time mail deliveries, particularly for Election Mail. To be clear, late and extra trips should be performed to the same or greater degree than they were performed prior to July 2020 when doing so would increase on-time mail deliveries. Any prior communication that is inconsistent with this instruction should be disregarded." It is FURTHER ORDERED that by no later than 9:00 AM on October 29, 2020, Defendants shall issue a one-page notice to, or deliver a Stand-Up Talk to, all USPS personnel who may have job responsibilities related in any way to late and extra trips, stating that: "Late and extra trips will be approved to the maximum extent necessary to increase on-time mail deliveries, particularly for Election Mail. Any prior communication that is inconsistent with this should be disregarded. To be clear, late and extra trips will be approved to the same or greater degree than they were performed prior to July 2020 when doing so would increase on-time mail deliveries." It is FURTHER ORDERED that by no later than 9:00 AM on October 29, 2020, Defendants shall distribute, in the same form and to the same individuals who were previously advised about the need to "ensure that completed ballots reach the appropriate election official by the state's designated deadline," a list of state-specific statutory ballot receipt deadlines, so that USPS managers and employees can implement the Election Mail guidance that Defendants have recently issued. The parties shall confer and agree on the form and substance of the list. It is FURTHER ORDERED that beginning October 28, 2020 and until further order of the Court, Defendants shall file with the Court by 10:00 AM each day: (1) updated data on the number of extra and late trips performed the preceding day, at the Nation, Area, and District level, including any available data that is specific to Election Mail, to the maximum extent feasible; (2) updated data on the percentage of on-time deliveries at the Nation, Area, and District level, including any available data that is specific to Election Mail to the maximum extent feasible; and (3) any other reports generated after the date of this Order and produced to Congress, other courts, or other litigants. It is FURTHER ORDERED that beginning October 28, 2020 and until further order of the Court, the Court schedules a daily status conference at 3:00 PM via VIDEO TELECONFERENCE. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 10/27/2020. (lcegs3) (Entered: 10/27/2020)
10/28/2020		Set/Reset Deadlines: Defendant Filing due no later than 10:00AM on 10/28/2020. (mac)

		(Entered: 10/28/2020)
10/28/2020	40	NOTICE of Data in Response to Court's October 27, 2020 Order by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Robinson, John) (Entered: 10/28/2020)
10/28/2020		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Status Conference held on 10/28/2020. Defendants Data Filing due no later than 10:00AM on 10/29/2020, Status Conference set for 10/29/2020 at 3:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Court Reporter ELIZABETH SAINT-LOTH.) ((mac) (Entered: 10/28/2020)
10/29/2020	41	NOTICE of Data in Response to the Court's October 27, 2020 Order by UNITED STATES POSTAL SERVICE (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Robinson, John) (Entered: 10/29/2020)
10/29/2020		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Status Conference held on 10/28/2020. Parties Will File Proposed Order With The Court. Defendants Data Filing due no later than 10:00AM on 10/30/2020, Status Conference set for 10/30/2020 at 5:00 PM in Telephonic/VTC before Judge Emmet G. Sullivan. (Court Reporter LISA BANKINS.) (mac) (Entered: 10/29/2020)
10/30/2020	42	NOTICE of Data in Response to the Court's October 27, 2020 Order by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Robinson, John) (Entered: 10/30/2020)
10/30/2020	43	NOTICE of Proposed Order by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (Zieve, Allison) (Entered: 10/30/2020)
10/30/2020		MINUTE ORDER. In view of 43 joint proposed order, it is hereby ORDERED that (1) United States Postal Service (USPS) facilities in the following Districts, whose Election Mail processing scores for completed ballots returned by voters (Inbound Ballots) were below 90 percent for at least two days from October 26 to 28, shall implement the "Delivery" measures outlined in USPS's "Extraordinary Measures Memorandum" dated October 20, 2020 unless the implementation of any of the extraordinary measures, at a district or facility level, would create a significant risk of reducing the timely delivery of Inbound Ballots: Alabama, Alaska, Appalachian, Atlanta, Central Pennsylvania, Colorado/Wyoming, Detroit, Ft. Worth, Greater Indiana, Greater Michigan, Greater S. Carolina, Greensboro, Gulf Atlantic, Kentuckiana, Lakeland, Louisiana, Mid-Carolinas, Mississippi, Northern New England, Oklahoma, Rio Grande, and Triboro. Defendants shall promptly communicate this requirement to the relevant managerial and supervisory personnel within these Districts. (2) It is FURTHER ORDERED that Defendants shall provide Plaintiffs available data from the nationwide survey of "extraordinary measures" being undertaken for Election Mail at USPS facilities, as it becomes available during the day on October 30, 2020. (3) It is FURTHER ORDERED that beginning October 30, 2020 and until further order of the Court, by 3:00 PM each day, Defendants shall file with the Court a document explaining, for each USPS District whose Election Mail processing scores for Inbound Ballots were below 90 percent on each of the previous two days or below 80 percent on the previous day, Defendants' understanding, based on all reasonably available information, of potential explanations for the current level of service and any corrective measures that are now being implemented. (4) It is FURTHER ORDERED that on October 30, 2020, Defendants shall make a USPS representative with expertise in postal operations available to speak with Plaintiffs and at the Conference before the Court to discuss and answer questions about the Postal Service's current plans and processes as they relate to the processing of Election Mail. (5) It is FURTHER ORDERED that beginning October 30, 2020, and until further order of the Court, Defendants shall file with the Court data by 10:00 AM each day (except for October 30, 2020, in which case it shall be filed at the earliest reasonably available time and, in any event, no later than 3:00 PM) data on the

	<p>absolute number of Inbound Ballots and Outbound Ballots captured in the Election Mail processing scores data produced pursuant to this Court's October 27, 2020 Minute Order. (6) It is FURTHER ORDERED that beginning October 30, 2020, and until further order of the Court, Defendants shall provide to Plaintiffs by 11:00 AM each day native versions of the excel files of service performance data produced pursuant to this Court's October 27, 2020 Minute Order. (7) It is FURTHER ORDERED that at the conference before the Court at 5:00 PM on October 30, 2020, Defendants shall make a USPS representative with expertise in the data processing scores for Election Mail that USPS is producing, including expertise with respect to the data and issues identified in paragraphs 3 through 5 above, available to answer questions from the parties and the Court about the data. This representative shall also be available to describe and answer questions related to: (a) the methodology used to calculate processing scores for "Inbound Ballots," "Outbound Ballots," and "Outbound Non-Ballot Election Mail," as those terms are used in Defendants' submission; and (b) a detailed and specific explanation of those reasons, if any, why Defendants contend those processing scores are unreliable. Signed by Judge Emmet G. Sullivan on 10/30/2020. (lcegs3) (Entered: 10/30/2020)</p>
10/30/2020	<p>44 NOTICE of Data in Response to the Court's October 30, 2020 Order by LOUIS DEJOY, UNITED STATES POSTAL SERVICE (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Robinson, John) (Entered: 10/30/2020)</p>

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