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16 *Admitted pro hac vice

17 UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA

19 REPUBLICAN NATIONAL
20 COMMITTEE; NATIONAL
21 REPUBLICAN CONGRESSIONAL
22 COMMITTEE; and CALIFORNIA
23 REPUBLICAN PARTY,

24 Plaintiffs,

25 v.

26 GAVIN NEWSOM, in his official capacity
27 as Governor of California; and ALEX
28 PADILLA, in his official capacity as
California Secretary of State,

Defendants,

DEMOCRATIC CONGRESSIONAL
CAMPAIGN COMMITTEE and
DEMOCRATIC PARTY OF
CALIFORNIA,

Intervenor-Defendants.

No. 2:20-cv-01055-MCE-CKD

**PLAINTIFFS' NOTICE OF VOLUNTARY
DISMISSAL AND PROPOSED ORDER (FED.
R. CIV. P. 41(A)(1)(A))**

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), plaintiffs Republican National
2 Committee, National Republican Congressional Committee, and California Republican Party
3 (“Plaintiffs”) hereby voluntarily dismiss this action in its entirety.

4 On May 24, 2020, Plaintiffs filed this action against Gavin Newsom and Alex Padilla, in
5 their official capacities (“Defendants”), challenging the constitutionality of Defendant Newsom’s
6 Executive Order N-64-20, which ordered that California would automatically send vote-by-mail
7 ballots to every registered voter for the November 3, 2020 general election. Plaintiffs moved for a
8 preliminary injunction on Counts I and II on June 5, 2020. On June 18, 2020, the California
9 Legislature enacted AB 860. Plaintiffs are authorized to state on behalf of Defendants Newsom
10 and Padilla as follows: “As previously stated in their filings, Defendants confirm that Executive
11 Order N-64-20 has been superseded by AB 860; as a result of the enactment of AB 860,
12 Defendants will not rely upon Executive Order N-64-20 in connection with the November 2020
13 election.”

14 Accordingly, Plaintiffs hereby voluntarily dismiss this action. Plaintiffs and Defendants
15 Newsom and Padilla agree that they will bear their own attorneys’ fees, expenses, and costs.

16 Respectfully submitted,

17 Dated: July 9, 2020

/s/ Bryan Weir
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CERTIFICATE OF SERVICE

I electronically filed this document with the Clerk of the Court using the CM/ECF system, which will electronically notify all persons requiring notice.

Dated: July 9, 2020

/s/ Bryan Weir
Bryan Weir
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