

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

King Lincoln Bronzeville Neighborhood	:	Case No.: No. C2-06-745
	:	
Association, et al.,	:	Judge Algenon Marbley
	:	
Plaintiffs,	:	Magistrate Judge Kemp
	:	
vs.	:	
	:	
J. Kenneth Blackwell, et al.,	:	
	:	
Defendants.	:	

**ORDER GRANTING MOTION FOR TEMPORARY
RESTRAINING ORDER**

For good cause shown, this Court grants the Plaintiffs’ request for a temporary restraining order under Fed. R. Civ. P. 65 and enjoins the Defendant Blackwell from violating Plaintiffs’ constitutional rights, including the right to vote and the right to equal protection of the laws, and orders

1. Back-up paper ballots

At all times during the election on November 7th, 2006, absentee ballots, in adequate supply, will be made available at the polling places for any voter who wants to use them, and in particular

- a) whenever an electronic voting machine, including its capability to print a voter verified paper trail, becomes unavailable for use at its assigned voting location, or
- b) whenever, for whatever reason, the apparent waiting time to vote at a precinct location exceeds a half-hour.

Such absentee ballots may be turned in at the assigned voting location for delivery to the County Board of Elections along with other materials.

2. Audit

Before the certification of the election results, a statewide hand count of the voter verified paper trail, the provisional ballots, and the absentee ballots of a random sample of 3% of the voting precincts.

The Defendant shall circulate this notice of equitable relief to all the Board of Elections officials in all eighty-eight counties, and such notice shall be posted at each polling place during the election to be held on November 7th, 2006.

SO ORDERED

THIS ___ Day of November, 2006

Hon. Algenon Marbley

U.S. District Court Judge, Southern District of Ohio