

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION**

GET LOUD ARKANSAS, et al.,

Plaintiffs,

v.

JOHN THURSTON, et al.,

Defendants.

Civil Action

Case No. 5:24-cv-05121-TLB

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**MOTION FOR PRELIMINARY INJUNCTION**

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Plaintiffs Get Loud Arkansas (“GLA”), Vote.org (“VDO”), Nikki Pastor, and Blake Loper, for their Motion for Preliminary Injunction, pursuant to Fed. R. Civ. P. 65, state as follows:

1. Plaintiffs seek to preliminarily enjoin Defendants from enforcing the Arkansas State Board of Election Commissioners’ emergency rule, effective May 4, 2024, requiring that voter registration applications be signed with a handwritten or “wet” signature, rather than an electronic or digital signature (the “wet signature rule”).

2. Plaintiffs further seek to enjoin Defendants from enforcing any requirement that a voter registration application be signed with a handwritten or “wet” signature, rather than an electronic or digital signature, whether such requirement is imposed pursuant to the wet signature rule or any other authority.

3. As set forth more fully in the accompanying brief, the wet signature rule violates the materiality provision of the Civil Rights Act of 1964.

4. Under the materiality provision, “[n]o person acting under color of law shall . . . deny the right of any individual to vote in any election because of an error or omission on any

record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material in determining whether such individual is qualified under State law to vote in such election.” 52 U.S.C. § 10101(a)(2)(B).

5. Rejecting a voter registration application for noncompliance with the wet signature rule constitutes a denial of the right to vote for purposes of the materiality provision. *Id.* § 10101(a)(3)(A), (e).

6. And the wet signature rule makes the use of an electronic signature “an error or omission on a[] record or paper relating to an[] application.” *Id.* § 10101(a)(2)(B).

7. Lastly, whether an applicant uses an electronic or wet signature on their voter registration application “is not material in determining whether such individual is qualified under [Arkansas] law to vote in such election.” *Id.*; *see* Ark. Const. art. 3, § 1; *see also* *Martin v. Haas*, 556 S.W.3d 509, 512 (Ark. 2018).

8. Accordingly, Defendants’ enforcement of the wet signature rule—and any other requirement that voter registration applications be signed with a handwritten or “wet” signature—violates the materiality provision of the Civil Rights Act of 1964.

9. A brief in support of Plaintiffs’ Motion for Preliminary Injunction is submitted alongside this Motion. *See* Local Rule 7.2(e).

10. Plaintiffs also submit the following Declarations, and the Exhibits attached therein, in support of this Motion:

- a. Declaration of Kristin Foster, Deputy Executive Director of GLA;
- b. Declaration of Andrea Hailey, Chief Executive Officer of VDO;
- c. Declaration of Nikki Pastor;
- d. Declaration of Blake Loper;
- e. Declaration of Susan Inman, former Arkansas election official;
- f. Declaration of Christopher D. Dodge, attorney for Plaintiffs.

WHEREFORE, Plaintiffs respectfully request that the Court grant their Motion and issue a preliminary injunction, pending a decision on the merits of Plaintiffs' claims in this matter, enjoining the enforcement of the wet signature rule or any similar requirement.

Dated: July 11, 2024

Respectfully submitted,

/s/ Uzoma N. Nkwonta

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 11th day of July, 2024, with a copy of this document via the Court's CM/ECF system.

/s/ Uzoma N. Nkwonta  
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