

**CV-24-492**

**IN THE ARKANSAS SUPREME COURT**

**JENNIFER MCGILL, individually and  
on behalf of the ARKANSAS CANVASSING  
COMPLIANCE COMMITTEE; and  
CHEROKEE NATION ENTERTAINMENT, LLC**

**PETITIONERS**

**V.**

**JOHN THURSTON, in his capacity as  
ARKANSAS SECRETARY OF STATE**

**RESPONDENT**

**LOCAL VOTERS IN CHARGE, a ballot question  
committee; and JIM KNIGHT, individually  
and on behalf of LOCAL VOTERS IN CHARGE**

**INTERVENORS**

**INTERVENORS' RESPONSE TO PETITIONERS' MOTION TO APPOINT  
SPECIAL MASTER, BIFURCATE PROCEEDINGS, EXPEDITE  
SCHEDULING, IMPOSE A BRIEFING SCHEDULE, GRANT LEAVE TO  
TAKE DEPOSITIONS, SHORTEN DISCOVERY RESPONSE TIMES, AND  
HEAR ORAL ARGUMENT**

Come now Intervenors, Local Voters in Charge, a ballot question committee,  
and Jim Knight, individually and on behalf of Local Voters in Charge, by and  
through the undersigned counsel, and for their Response to Petitioners' Motion to  
Appoint Special Master, Bifurcate Proceedings, Expedite Scheduling, Impose a

Briefing Schedule, Grant Leave to Take Depositions, Shorten Discovery Response Times, and Hear Oral Argument (the “Motion”), state as follows:

1. Intervenors have no objection to the appointment of a Special Master to receive evidence, issue findings, and file a report on Petitioners’ signature challenge in Count I by September 25, 2024.

2. Intervenors have no objection to posting a bond in an amount equal to the bond posted by Petitioners.

3. Intervenors have no objection to bifurcating Counts I and II and establishing separate briefing schedules.

4. With regard to the ballot title and popular name (Count II), Intervenors object to Petitioners’ proposed briefing schedule in paragraph 11. Petitioners have had since the Attorney General certified the ballot title and popular name to review and begin the briefing process. To account for their head start, Intervenors would request a response brief deadline no sooner than August 30, 2024.

5. With regard to the signature challenge (Count I), Intervenors have no objection to the proposed briefing schedule in paragraph 12 so long as Intervenors are expressly permitted to file a brief on or before October 2, 2024 and to file a reply brief on or before October 9, 2024.

6. With regard to Petitioners’ request for leave to take depositions and to obtain subpoenas of unnamed state employees, canvassers, notaries and others,

Intervenors state that such matters should be delegated to the Special Master under Rule 6-5 and Arkansas Rule of Civil Procedure 53. Further, Petitioners should be required to meet and confer with Intervenors and Respondent prior to issuing any deposition notices and witness subpoenas.

7. With regard to Petitioners' request to shorten written discovery response times to within seven calendar days of service, Intervenors object. Again, discovery matters should be delegated to the Special Master. Intervenors will work with the Special Master and the parties to establish reasonable discovery deadlines given the exigency of the matter and the unknown quantity of written discovery requests the Petitioners will propound.

8. Lastly, Intervenors have no objection to oral argument on the briefs subsequent to the filing of the Special Master's report.

9. To the extent there are allegations in the Motion that have not been specifically addressed herein, they are denied.

Respectfully submitted,

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question committee, and Jim Knight,  
individually and on behalf of Local Voters in  
Charge*

### **CERTIFICATE OF SERVICE**

I, Kathy McCarroll, hereby certify that on this 5<sup>th</sup> day of August, 2024, I electronically tendered/filed the foregoing using the Court's electronic filing system, which shall send notification of such filing to the following counsel of record:

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