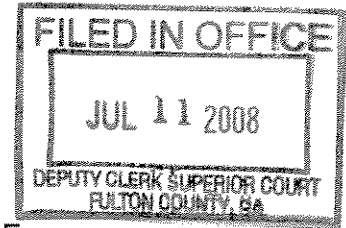


IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

DEMOCRATIC PARTY OF GEORGIA, )  
INC., )  
Plaintiff, )  
)  
v. )  
)  
SONNY PERDUE, ET AL., )  
)  
Defendants. )



CIVIL ACTION FILE  
NUMBER:2008CV151081

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**ORDER ON MOTION FOR TEMPORARY RESTRAINING ORDER**

The above matter is before the Court for consideration of Plaintiff's Motion for Temporary Restraining Order. The Court, having considered the entire record, including the briefs filed by counsel and the evidence and argument adduced at the hearing of this matter on July 10, 2008, enters this order.

Plaintiff seeks an order of the Court enjoining the enforcement of the 2006 amendment to O.C.G.A. § 21-2-417 (Ga. L. 2006, p.3, § 2/ S.B. 84) ("the Act") in the primary election on July 15, 2008. Plaintiff alleges the Act imposes an unauthorized condition and qualification on the fundamental right to vote of registered Georgia voters in violation of Art. II § I, ¶¶ II & II of the Georgia Constitution.<sup>1</sup>


As an initial matter the Court finds that Plaintiff has standing to bring this action. *Crawford v. Marion County Election Bd.*, 128 S.Ct. 1610, 170 L.Ed.2d 574, 76 USLW 4242 (2008). The Court further finds that the Plaintiff's petition is supported by other satisfactory proofs as permitted by O.C.G.A. § 9-10-110 and is not subject to dismissal for failure to provide verification. *Agri Cycle LLC v. Couch*, 2008 WL2574459, Ga., June 30, 2008 (NO.S08A0927).

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<sup>1</sup> Plaintiff asserts a facial and as applied challenge to the Act.

After considering the evidence and balancing the harms alleged by each party, the Court finds that Plaintiff has failed to meet the legal standard for the granting of a temporary restraining order. Plaintiff's Motion for Temporary Restraining Order is **DENIED**.

SO ORDERED this 11<sup>th</sup> day of July, 2008.

  
\_\_\_\_\_  
TOM CAMPBELL, JUDGE  
Superior Court of Fulton County  
Atlanta Judicial Circuit

Disbursed to All Counsel of Record  
Via Electronic Delivery