

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Eugene Martin LaVergne, *et als.*,

Plaintiffs,

vs.

U.S. House of Representatives, *a*
body politic created and constituted by Article I
of the United States Constitution, as amended;
et als.,

Defendants,

and,

Michael Pence, *Vice President of the*
United States and President of the United
States Senate, et als.,
Interested Parties.

Case No. 1:17-cv-00793 CKK-CP-RDM

Three Judge Court:

Hon. Cornelia T. L. Pillard, C.J. (Presiding)

Hon. Colleen Kollar-Kotelly, U.S.D.J.

Hon. Randolph Moss, U.S.D.J.

Civil Action:

Notice of Motions

TO: Honorable Cornelia T.L. Pillard, C.J. (Presiding)
United States Court of Appeals
For the District of Columbia Circuit
United States Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Honorable Colleen Kollar-Kotelly, U.S.D.J.
United States District Court
for the District of Columbia
United States Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Honorable Randolph Moss, U.S.D.J.
United States District Court
for the District of Columbia
United States Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

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Plaintiff *Pro Se*

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Plaintiff *Pro Se*

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Plaintiff *Pro Se*

Allen J. Cannon
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Plaintiff *Pro Se*

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and

Alexander Penley, Esq.
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Attorney for Proposed Intervenors:
Citizens for Fair Representation
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Steven Baird
Win Carpenter
Tanya Nemcik
Terry Rapoza

Johnny H. Walker
Assistant United States Attorney
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Washington, D.C. 20530

Attorney for all “Federal Defendants”:

- (1) United States House of Representatives**
- (2) Individual Members of the U.S. House of the 115th Congress**
- (3) Honorable Paul Ryan, U.S. Representative of Wisconsin**
- (4) Honorable David S. Ferriero, Archivist of the United States**
- (5) Honorable Wilbur Ross, U.S. Secretary of Commerce**
- (6) Honorable Donald J. Trump, President of the United States**
- (7) Honorable Karen L. Hass, Clerk of the U.S. House of Representatives**

Attorney for all “Federal Interested Parties”:

- (257) Michael Pence, Vice President of the United States and President of the United States Senate**
- (258) United States Senate**
- (259) Individual Members of the U.S. Senate of the 115th Congress**

Brian Vernon Church
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Attorney for State Defendants:

- (73) C.L. “Butch” Otter, Governor of Idaho**
- (74) Lawrence Wasden, Idaho Attorney General**
- (75) Lawrence Denney, Idaho Secretary of State**
- (76) Idaho State Senate (35 State Senators)**
- (77) Idaho State House of Representatives (70 State Representatives)**

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Attorney for State Defendants:

- (237) Honorable Jay Inslee, Governor of Washington**

- (238) Honorable Bob Ferguson, Washington State Attorney General
- (239) Honorable Kim Wyman, Washington Secretary of State
- (240) Washington State Senate (49 Senators)
- (241) Washington State House of Representatives (98 State Representatives)

MADAMES / SIRS:

PLEASE TAKE NOTICE that on a date and time as to be fixed by this Three Judge District Court that the undersigned Plaintiff *Pro Se* shall move in each instance before the full Three Judge Court for an Order Granting the following relief:

- First, he moves pursuant to *L.Cv.R.* 5.4(b)(2) for an Order permitting him to file and receive papers in this case electronically through the Court's Case Management / Electronic Case Files ("CM / ECF") system.
- Second, he seeks an Order under 28 *U.S.C.* §2284(b)(3) (full Court review of Single Judge Action) and / or *F.R.Civ.P.* 60 vacating and declaring void the portion of Judge Kollar-Kotelly's December 21, 2017 Single District Court Judge Order [Document 80] where she, without notice, suddenly *sua sponte* DENIED WITHOUT PREJUDICE Plaintiff's pending motion for Summary Judgment.
- Third, he seeks an Order under the authority of 28 *U.S.C.* §1657(a) and precedents of the United States Supreme Court cited immediately fixing an expedited briefing schedule on the pending motion for Summary Judgment and a decision on that motion from this Three Judge Court on an expedited basis.

PLEASE TAKE FURTHER NOTICE that at such time and place that the Plaintiff *Pro Se* shall rely upon the following:

- May 28, 2018 Verification and Declaration of Eugene Martin LaVergne pursuant to 28 *U.S.C.* §1746 and *L.Cv.R.* 11.1(2) with “Exhibits”;
- Memorandum of Points and Authorities
- A proposed form or Order; and

PLEASE TAKE FURTEHR NOTICE that (*) Oral Argument is Hereby Requested.



Eugene Martin LaVergne
Plaintiff *Pro Se*
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Dated: May 28, 2018

PROOF OF SERVICE:

EUGENE MARTIN LaVERGNE hereby swears, certifies and declares as follows:

1. On Tuesday May 29, 2018 I sent the moving papers in this case to the Clerk of the Court for filing via Overnight US Mail.
2. On Tuesday May 29, 2018 I sent the moving papers in this case to the other Plaintiffs as at the address listed above by regular U.S. Mail and also by email.
3. On Tuesday May 29, 2018 I sent courtesy copies to the Federal Defendants and State Defendants and proposed Intervenors as listed above via email, and each will be served electronically in due course once the Clerk of the Court downloads the papers onto the electronic docket.

**I DECLARE UNDER THE PENALTY OF PERJURY THAT THE
FOREGOING IS TRUE AND CORRECT.
EXECUTED THIS 28th DAY OF MAY 2018.**



Eugene Martin LaVergne
Plaintiff *Pro Se*