

IN THE CHANCERY COURT FOR DAVIDSON COUNTY
TWENTIETH JUDICIAL DISTRICT
THE STATE OF TENNESSEE

LEAGUE OF WOMEN VOTERS)
OF TENNESSEE ,)
ANNA CARELLA;)
NELLA FRIERSON)
)
Plaintiffs,) Case No.
)
vs.)
)
DAVIDSON COUNTY ELECTION)
COMMISSION; JEFF ROBERTS,)
in his official capacity)
as the Davidson County)
Elections Administrator;)
BILL LEE, in his official capacity as)
Governor of the State of Tennessee;)
TRE HARGETT, in his official capacity)
as Secretary of State)
of the State of Tennessee;)
MARK GOINS, in his official capacity)
as Coordinator of Elections)
for the State of Tennessee)
)
)
Defendants.)
_____)

AGREED ORDER

On November 4, 2022, Plaintiffs Anna Carella, Nella Frierson, and League of Women Voters filed suit against the Davidson County Election Commission and the Administrator of Elections for Davidson County in his official capacity, as well the Governor, Secretary of State and Coordinator of Elections for the State of Tennessee, all in their official capacities, alleging that, as a result of errors in assigning voters to their correct districts in the state and/or federal legislative districts in Davidson County, their and their member's rights as duly registered voters, to participate in all federal, state, and local elections held in the county or district in which they

reside pursuant to Tenn. Const. Art. IV, §§ 1 and 5, had been violated. As evidenced by the signature of counsel for the parties below, in order to fully resolve these claims, the parties have agreed to the following:

1. Any voter who has been misassigned as a result of errors in assigning voters to their correct districts in the state and federal legislative districts in Davidson County who has NOT voted will be identified by Defendant Davidson County Election Commission and allowed to vote a paper ballot containing the correct ballot choices on Election day. These ballots will be available at the voter's correct precinct and previous, misassigned precinct.
2. Any voter who has been misassigned as a result of errors in assigning voters to their correct districts in the state and federal legislative districts in Davidson County who has already voted early in the November 8, 2022 general election will be allowed to vote a provisional ballot on Election Day at the offices of the Davidson County Election Commission, 1417 Murfreesboro Pike, Nashville, Tennessee. The provisional ballot will only be for the races in the misassigned voter's correct state and federal congressional districts. Any such provisional ballot will be counted only in the event that an election contest is filed in the affected state or federal legislative district.
3. The parties agree to make every effort to identify misassigned voters who voted early and notify any such voters through the issuance of press releases, social media and other readily available avenues of mass communication, including but not limited to posting notice on their websites.
4. Post-election, the Coordinator of Elections agrees to conduct a full investigation and publicly release a report of that investigation. Supporting documents relied upon in the investigation shall also be available to the public upon request unless such document is confidential and/or privileged under state or federal law.
5. All documents pertaining to the November 8, 2022, State and Federal election will be preserved in accordance with the requirements of Tenn. Code Ann. § 2-8-108 and applicable federal law.
6. Defendants additionally agree to preserve all evidence that is relevant to the Coordinator of Election's investigation, to the extent it exists and is in the custody and control of the Defendants, including but not limited to
 - a. All previous versions of maps utilized after redistricting, up to, and through early voting and Election Day by Defendants to assign voters to state and federal congressional districts;
 - b. All previous versions of voter files, including voter registration cards, voter affidavits, and poll lists, utilized after redistricting, up to, and through early

- voting and Election Day by Defendants to assign voters to state and federal congressional districts;
- c. All previous versions of all other relevant documents relied upon by Defendants to assign voters to state and federal congressional districts after redistricting, up to, and through early voting and Election Day.

Upon entry of this Order, all matters before the Court are hereby dismissed. Costs are taxed equally to all Parties.

So ORDERED this _____ day of November 2022.

Chancellor, Davidson County Chancery Court

APPROVED FOR ENTRY:

/s/ Stella Yarbrough

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