

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

COMMON CAUSE, *et al.*

Plaintiffs,

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*

Defendants.

Case No. 1:26-cv-01352

NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs respectfully notify the Court of the following supplemental authorities—consisting of four decisions—issued after Plaintiffs’ June 12 Opposition to Defendants’ Motion to Dismiss or in the Alternative for Summary Judgment and Reply in Support of Plaintiffs’ Motion for Partial Summary Judgment, *see* ECF 35, ECF 36, and after Plaintiffs’ July 1 Notice of Supplemental Authority, *see* ECF 44.

Four more federal courts—the Northern District of New York, the Southern District of West Virginia, the District of New Mexico, and the Eastern District of Virginia—have rejected lawsuits by the Department of Justice (“DOJ”) to compel the disclosure of states’ unredacted statewide voter registration lists. *See United States v. Bd. of Elections*, No. 25-CV-1338, 2026 WL 1999921 (N.D.N.Y. July 10, 2026); *United States v. Warner*, No. 26-cv-00156, 2026 WL 2018877 (S.D.W.V. July 13, 2026); *United States v. Oliver*, No. 25-cv-01193, 2026 WL 2031479 (D.N.M. July 14, 2026); *United States v. Koski*, No. 26CV42, 2026 WL 2032532 (E.D. Va. July 14, 2026). Sixteen courts have now rejected DOJ’s voter data lawsuits, striking down the same legal arguments DOJ asserts here to defend its Voter List Maintenance Policy. *See* ECF 36 at 1 n.1, ECF 44 at 1 (collecting prior decisions). No court to date has ruled in DOJ’s favor.

Pertinent here, the Northern District of New York wrote: “The Government's position is that it may ‘seek list maintenance records under HAVA . . . through the ordinary discovery process necessary to prosecute its [HAVA] claim.’ But this argument inverts civil procedure; the Government cannot use discovery in hopes of finding an unpled HAVA violation.” *Bd. of Elections*, 2026 WL 1999921, at *14 (alterations in original) (citation omitted).

Dated: July 15, 2026

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