



**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

No. 2:20-cv-966

DONALD J. TRUMP FOR PRESIDENT, INC., *et al.*,

Plaintiffs

v.

KATHY BOOCKVAR, in her capacity as Secretary of the
Commonwealth of Pennsylvania, *et al.*,

Defendants

ORDER

In its earlier memorandum order [ECF 459], the Court neglected to mention one other claim that it abstained from deciding under *Pullman* but which was not addressed in the Pennsylvania Supreme Court's recent rulings. That is, Plaintiffs' claims regarding Secretary Bockvar's guidance that in-person mail-in ballots shall be accepted absent a "bona fide objection." As the Court explained in its abstention opinion [ECF 409, pp. 21-23], those claims, too, are based on an unsettled question of state law. Accordingly, for the same reasons that the Court will continue to abstain from deciding Plaintiffs' claims as to whether drop-boxes must comply with the notice and site requirements applicable to "polling places," *see* [ECF 459, pp. 5-6], the Court will also continue to abstain from deciding Plaintiffs' claims regarding verification of in-person, mail-in ballot applications.

In all other respects, the Court's earlier memorandum order [ECF 459] applies.

BY THE COURT:

/s/ J. Nicholas Ranjan
United States District Judge