

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RUTHANN BAUSCH, MARCIA DAY
DONDIEGO, JUDITH REED, RHODA
EMEFA AMEDEKU, DANIEL
STROHLER, SHARON STROHLER,
BERNARD BOAKYE BOATENG,
LORI RIEKER and LISA DANNER,

Plaintiffs,

v.

LEHIGH COUNTY BOARD OF
ELECTIONS, NORTHAMPTON
COUNTY BOARD OF ELECTIONS
and LEIGH M. CHAPMAN,
in her capacity as Secretary of the
Commonwealth of Pennsylvania

Defendants.

JURY TRIAL DEMANDED

Civ. No. 5:22-cv-02111

**STIPULATED AGREEMENT BETWEEN AND AMONG PLAINTIFFS, RUTHANN
BAUSCH, MARCIA DAY DONDIEGO, JUDITH REED, DANIEL STROHLER,
SHARON STROHLER, BERNARD BOAKYE BOATENG AND LORI RIEKER, AND
DEFENDANT, NORTHAMPTON COUNTY BOARD OF ELECTIONS**

AND NOW, come the Plaintiffs, Ruthann Bausch, Marcia Day Dondiego, Judith Reed Daniel Stroehler, Sharon Stroehler, Bernard Boakye Boateng, and Lori Reiker (“Northampton Plaintiffs”), by and through their attorneys Mobilio Wood, and the Defendant, Northampton County Board of Elections, by and through its attorney Richard Eugene Santee, and hereby submit the instant Stipulated Agreement and aver as follows:

1. Plaintiffs Ruthann Bausch, Marcia Day Dondiego, and Judith Reed are among a group of 23 Democratic Northampton County voters in State Senate District 14 whose timely-submitted mail-in ballots for the May 17, 2022, election will not count because they were not placed in a “secrecy envelope” before being sent to the Election Boards.

2. Plaintiffs Daniel Strohler, Sharon Strohler, Bernard Boakye Boateng, and Lori Reiker, are among a group of 25 Democratic Northampton County voters in State Senate District 14 whose timely-mailed ballots for the May 17, 2022, election will not count because said ballots were mailed to, but not received by the Northampton County Election Office on or before May 17, 2022, at 8:00 p.m.

3. On May 31, 2022, the Northampton Plaintiffs filed a Complaint in the Eastern District of Pennsylvania alleging that the aforementioned impediments to the counting of their votes was unlawful.

4. The Northampton County Board of Elections disputes Northampton Plaintiffs’ assertions with respect to the application of the law referenced in Plaintiffs’ Complaint.

5. Although the parties disagree on the application of the law in this matter, the parties agree that voting is a fundamental right which all parties strive to safeguard.

6. In furtherance of that objective, and as a full and final resolution of the aforementioned matter, the parties agree as follows:

a. Plaintiffs will immediately seek the dismissal, with prejudice, of the instant litigation.

b. Defendant, Northampton County Board of Elections, will, from this date forward:

- a. Include messaging to Northampton County voters emphasizing the importance of providing contact information including a notice on the Northampton County Voter Registration website;

7. The parties also agree that is in the best interests of the Northampton County Board of Elections and Northampton County voters to provide the opportunity of notice to a voter who returns mail-in ballots and absentee ballots without a secrecy envelope (known as “Naked Ballots”).

8. In furtherance of that objective, the Northampton County Board of Elections shall do the following:

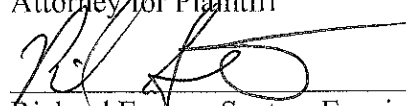
- a. During the pre-canvass which begins on or after 7 a.m. on Election Day, the County shall provide the names of all voters whose Naked Ballots are discovered prior to 8:00 pm on Election Day to the party and/or candidate representative(s) who are on-site during pre-canvassing so that the party representative(s) can notify the voters; and
- b. Explore changing the color of the secrecy envelope to something more conspicuous than white, so that the secrecy envelope stands out to the voter and is easily discernable from other materials provided to them with their mail-in ballot.

Date: 6/15/22

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Matthew Mobilio

Matthew Mobilio, Esquire
Attorney for Plaintiff


Richard Eugene Santee, Esquire
Assistant Solicitor, Office of the Solicitor
Attorney for Northampton County
Board of Elections