

**STATE OF MICHIGAN
COURT OF APPEALS**

COMMITTEE TO BAN FRACKING IN
MICHIGAN,

Plaintiff-Appellant,

Court of Appeals # _____
Court of Claims # 20-000125-MM
Hon. Christopher M. Murray

v

BOARD OF STATE CANVASSERS,

Defendant-Appellee.

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MOTION FOR IMMEDIATE CONSIDERATION

Now comes the Plaintiff-Appellant, by and through counsel, and hereby moves this Honorable Court, pursuant to MCR 7.211(A)(4), for immediate consideration of its appeal from the Court of Claims.

Below, this case was filed, briefed, and decided on an expedited basis, as has been every other proceeding involving the initiative petition of the Committee to Ban Fracking in Michigan (“the Committee”), since it filed signatures in November 2018, with the exception of the now-reversed 2019 decision of the Court of Claims regarding the Canvassers’ tolerance of the Bureau of Elections’ (“BOE’s”) initial refusal to take the signatures (which took nine months between filing and decision).

This case has calendar priority under MCR 7.213(C)(4). But in the limited period between now and printing of the ballots for the November 2020 election, priority can only be effective if the Canvassers are ordered to respond *this week* to the Committee's attached brief.

As fully outlined in the brief, the need for speed is due totally to the Canvassers’ above “unlawful” action (so termed by this Court), added to which was their 39 days of foot-dragging in acting on the Committee's signatures once signatures were allowed in the door.

Wherefore, Plaintiff respectfully requests that the Court grant immediate consideration to its appeal and direct Defendant to file its response no later than this week.

Respectfully submitted,

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Dated July 22, 2020