

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2020-0150

ROBERT GOLDSTEIN & others vs. SECRETARY OF THE COMMONWEALTH.

RESERVATION AND REPORT

I hereby reserve decision and report the case to the full court. The record before the full court will consist of the complaint, the exhibits to the complaint, and a response to be filed by the defendant no later than 11:59 p.m. on Friday, April 10, 2020. In addition, the parties should use their best efforts to prepare a statement of agreed facts for submission to the full court no later than 11:59 p.m. on Friday, April 10, indicating, to the fullest extent possible in the circumstances, all areas of factual agreement. The parties shall also indicate any material factual issues as to which they do not agree. The plaintiffs shall have responsibility for initiating the statement of facts.

Oral argument will be heard by telephone conference on Monday, April 13, 2020, at 10:00 a.m. The clerk of the full court will contact all counsel with the arrangements that need to be made for a telephonic argument.

The defendant is asked to address in his response, and the plaintiffs may address in a supplemental memorandum not to exceed five double-spaced pages (also to be filed no later than 11:59 p.m. on April 10), the following: if the court were to find that G. L. c. 53, §§ 6-7, is unconstitutional as applied in the circumstances, as the plaintiffs allege, then, with respect to the

relief sought in paragraph C.d on p. 41 of the complaint, (1) does the court in fact have authority to order "the electronic collection of signatures, as a means of remedying the constitutional violation," and (2) what are the logistics of, and potential problems with, collecting and verifying electronic signatures.

/s/ Elspeth Cypher

Elspeth Cypher, Associate Justice

Date: April 9, 2020