

General Docket
United States Court of Appeals for the Sixth Circuit

Court of Appeals Docket #: 20-1336

Docketed: 04/22/2020

Nature of Suit: 3441 Civil Rights: Voting

Eric Esshaki v. Gretchen Whitmer, et al

Appeal From: Eastern District of Michigan at Detroit

Fee Status: fee paid

Case Type Information:

- 1) Civil
- 2) Private
- 3) Civil Rights

Originating Court Information:

District: 0645-2 : [2:20-cv-10831](#)

Court Reporter: Linda M. Cavanagh

Trial Judge: Terrence George Berg, U.S. District Judge

Date Filed: 03/31/2020

Date Order/Judgment:

04/20/2020

Date NOA Filed:

04/21/2020

Prior Cases:

None

Current Cases:

None

ERIC ESSHAKI, as candidate for United
States Congress in his individual capacity
Plaintiff - Appellee

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Intervenor - Appellee

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Intervenor - Appellee

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v.

GRETCHEN WHITMER, Governor of
Michigan
Defendant - Appellant

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Michigan
Defendant - Appellant

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Michigan Bureau of Elections
Defendant - Appellant

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ERIC ESSHAKI, as candidate for United States Congress in his individual capacity

Plaintiff - Appellee

MATT SAVICH; DEANA BEARD

Intervenors - Appellees


v.

GRETCHEN WHITMER, Governor of Michigan; JOCELYN BENSON, Secretary of State of Michigan;
JONATHAN BRATER, Director of the Michigan Bureau of Elections, in their official capacities

Defendants - Appellants

04/22/2020	1 3 pg, 13.09 KB	Civil Case Docketed. Notice filed by Appellants Jocelyn Benson, Jonathan Brater and Gretchen Whitmer. Transcript needed: n. (JEC) [Entered: 04/22/2020 10:58 AM]
04/22/2020	2	The case manager for this case is: Jill Colyer (JEC) [Entered: 04/22/2020 11:01 AM]
04/23/2020	3 1 pg, 331.07 KB	APPEARANCE filed for Appellants Jocelyn Benson, Jonathan Brater and Gretchen Whitmer by Heather S. Meingast. Certificate of Service: 04/23/2020. [20-1336] (HSM) [Entered: 04/23/2020 03:03 PM]
04/23/2020	4	TRANSCRIPT ordered from <i>Linda Cavanagh</i> , filed by Ms. Heather S. Meingast for Jocelyn Benson, Jonathan Brater and Gretchen Whitmer. [4] ; ----- This is to order a transcript of the following proceedings and to certify that satisfactory financial arrangements have been completed ----- Transcript ordered on: 04/21/2020 ; District Court Judge/Magistrate: <i>Terrence G. Berg</i> ; Hearing Dates: 04/15/2020, <i>Plaintiff's motion for TRO or injunctive relief</i> ; Other: <i>Financial arrangements are being made.</i> ; Method of Payment: <i>Private Funds</i> ; Court reporter acknowledgement is due in 14 days. Certificate of Service: 04/23/2020. [20-1336] (HSM) [Entered: 04/23/2020 03:11 PM]
04/23/2020	5 1 pg, 331.05 KB	APPEARANCE filed for Appellants Jocelyn Benson, Jonathan Brater and Gretchen Whitmer by Erik A. Grill. Certificate of Service: 04/23/2020. [20-1336] (EAG) [Entered: 04/23/2020 03:14 PM]
04/23/2020	6	NOTIFICATION: Setting acknowledgement deadline, relating to transcript order, [4]. Linda M. Cavanagh's acknowledgement is due 05/07/2020. (JEC) [Entered: 04/23/2020 04:06 PM]
04/23/2020	7	Court Reporter Acknowledgement filed by Ms. Linda M. Cavanagh, for transcript [4] ; Arrangements for payment were made on 04/21/2020 ; Estimated completion date: 04/23/2020 ;

		Estimated number of pages: 44. [20-1336] (LMC) [Entered: 04/23/2020 04:57 PM]
04/24/2020	8	NOTIFICATION: Setting transcript deadline, relating to transcript order, [4] Transcript to be filed in district court by Linda M. Cavanagh by 05/26/2020. (JEC) [Entered: 04/24/2020 07:19 AM]
04/24/2020	9 1 pg, 65.52 KB	CIVIL APPEAL STATEMENT OF PARTIES AND ISSUES filed by Attorney Ms. Heather S. Meingast for Appellants Jocelyn Benson, Jonathan Brater and Gretchen Whitmer. Certificate of Service:04/24/2020. [20-1336] (HSM) [Entered: 04/24/2020 09:58 AM]
04/24/2020	10	Transcript, [4], has been filed in the District Court on 04/24/2020 ; Court Reporter: Ms. Linda M. Cavanagh ; Actual Number of Pages: 45 ; Actual Number of Volumes: 1 ; [20-1336] (LMC) [Entered: 04/24/2020 10:31 AM]
04/26/2020	11 45 pg, 367.29 KB	EMERGENCY MOTION filed by Ms. Heather S. Meingast for Jocelyn Benson, Jonathan Brater and Gretchen Whitmer to stay district court order. Certificate of Service: 04/26/2020. [20-1336] -- [Edited 04/27/2020 by AEG] (HSM) [Entered: 04/26/2020 10:16 PM]
04/26/2020	12 3 pg, 123.83 KB	MOTION filed by Ms. Heather S. Meingast for Jocelyn Benson, Jonathan Brater and Gretchen Whitmer to exceed page limit. Certificate of Service: 04/26/2020. [20-1336] (HSM) [Entered: 04/26/2020 10:19 PM]
04/27/2020	13 1 pg, 10.16 KB	LETTER SENT to Ms. Deana Beard for Deana Beard, Mr. Michael S. Cafferty for Matt Savich, and Mr. Gregory J. Rohl for Eric Eshaki, notifying that each party has an opportunity to respond to appellants' motion to stay district court order. Response due 04/28/2020 at 9:00 a.m. (EST) for Michael S. Cafferty and Gregory J Rohl and Deana Beard. (LAJ) [Entered: 04/27/2020 01:27 PM]
04/27/2020	14 1 pg, 85.68 KB	APPEARANCE filed for Appellee Eric Eshaki by Eric Eshaki. Certificate of Service: 04/27/2020. [20-1336] (EE) [Entered: 04/27/2020 03:21 PM]
04/27/2020	15 5 pg, 91.61 KB	MOTION filed by Eric Eshaki for Eric Eshaki to extend timeCertificate of Service: 04/27/2020. [20-1336] (EE) [Entered: 04/27/2020 04:21 PM]
04/27/2020	16 1 pg, 38.32 KB	APPEARANCE filed for Appellee Matt Savich by Micahel S. Cafferty. Certificate of Service: 04/27/2020. [20-1336] (MSC) [Entered: 04/27/2020 05:39 PM]

04/27/2020	17 9 pg, 223.12 KB	RESPONSE in opposition filed regarding a motion stay district court order, [11]; previously filed by Ms. Heather S. Meingast for Gretchen Whitmer, Jocelyn Benson and Jonathan Brater. Response from Attorney Mr. Michael S. Cafferty for Appellee Matt Savich Certificate of Service:04/27/2020. [20-1336] (MSC) [Entered: 04/27/2020 05:51 PM]
04/27/2020	18 2 pg, 28.3 KB	ORDER GRANTING the motion to extend time to file a response to appellants' emergency motion to stay a district court order [15] filed by Eric Esshaki. The deadline to file a response has been extended to 9:00 a.m. (EST) on April 29, 2020 for all appellees. Entered by order of the court. (LAJ) [Entered: 04/27/2020 06:17 PM]
04/29/2020	19 19 pg, 9.31 MB	RESPONSE in opposition filed regarding a motion stay district court order, [11]; previously filed by Ms. Heather S. Meingast in 20-1336. Response from Party Deana Beard Certificate of Service:04/29/2020. (JEC) [Entered: 04/29/2020 07:52 AM]
04/29/2020	20 23 pg, 266.47 KB	RESPONSE in opposition filed regarding a motion, [11]; previously filed by Ms. Heather S. Meingast for Gretchen Whitmer, Jocelyn Benson and Jonathan Brater. Response from Attorney Eric Esshaki for Appellee Eric Esshaki Certificate of Service:04/29/2020. [20-1336] (EE) [Entered: 04/29/2020 08:26 AM]
05/05/2020	21 11 pg, 250.4 KB	ORDER filed: We GRANT the motion [11] IN PART and issue stay as to the injunction's three compulsory directives that re-write the statute, but we DENY the remainder of the motion and uphold the core of the injunction, which enjoins the State from enforcing the statute's two ballot-access provisions at issue unless the State provides some reasonable accommodation to aggrieved candidates. Alice M. Batchelder, Jane Branstetter Stranch (CONCURRING IN PART AND DISSENTING IN PART), and John K. Bush, Circuit Judges. (CL) [Entered: 05/05/2020 05:39 PM]
06/11/2020	22 5 pg, 30.58 KB	BRIEFING LETTER SENT setting briefing schedule: appellant brief due 07/21/2020;. appellee brief due 08/20/2020; (JEC) [Entered: 06/11/2020 10:56 AM]
07/21/2020	23  0 pg, 0 KB	***DOCUMENT LOCKED. INCORRECT ENTRY***MOTION filed by Ms. Heather S. Meingast for Jocelyn Benson, Jonathan Brater and Gretchen Whitmer to dismiss <i>Appellants' Motion to Dismiss Based on Mootness and to Vacate Under the Munsingwear Doctrine</i> Certificate of Service: 07/21/2020. [20-1336] -- [***COUNSEL IS DIRECTED TO REFILE AS A MOTION TO

REMAND CASE.***--[Edited 07/22/2020 by JEC] (HSM)
[Entered: 07/21/2020 03:22 PM]

- 07/22/2020 [24](#)
25 pg, 210.31 KB MOTION filed by Ms. Heather S. Meingast for Jocelyn Benson, Jonathan Brater and Gretchen Whitmer to remand. Certificate of Service: 07/22/2020. [20-1336] (HSM) [Entered: 07/22/2020 10:52 AM]
- 07/22/2020 [25](#)
1 pg, 10.2 KB RULING LETTER SENT to hold briefing in abeyance pending the motion to remand. (JEC) [Entered: 07/22/2020 11:24 AM]
- 07/31/2020 [26](#)
6 pg, 1.24 MB RESPONSE in opposition filed regarding a motion, [24]; previously filed by Ms. Heather S. Meingast for Gretchen Whitmer, Jocelyn Benson and Jonathan Brater. Response from Attorney Mr. Michael S. Cafferty for Appellee Matt Savich. Certificate of Service: 07/31/2020. [20-1336] (MSC) [Entered: 07/31/2020 05:08 PM]