

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

PHILIP B. STARK and FREE SPEECH  
FOR PEOPLE,

*Plaintiffs,*

v.

UNITED STATES ELECTION  
ASSISTANCE COMMISSION,

*Defendant.*

Civil Action No. 1:21-cv-01864 (CKK)

**PLAINTIFF’S MOTION FOR ORAL ARGUMENT**

Pursuant to Local Rule 7(f), Plaintiffs Philip B. Stark and Free Speech For People respectfully request that the Court hold oral argument on Defendant’s Motion to Dismiss or, in the Alternative, for Partial Summary Judgment (ECF No. 16, Sept. 30, 2021). Plaintiffs respectfully submit that this motion is supported by good cause as follows.

1. Whether to hold oral argument is committed to the Court’s exercise of its discretion. LCvR 7(f) (“A party may in a motion or opposition request an oral hearing, but its allowance shall be within the discretion of the Court.”).

2. Plaintiffs respectfully submit that oral argument would assist the Court in resolving Defendant’s dispositive motion given the importance of the issues presented and the somewhat complex subject matter.

3. In particular, this case presents important questions regarding the process that resulted in the Voluntary Voting System Guidelines 2.0 (“VVSG 2.0”), and resolution of those questions bears directly on the security of voting systems and fairness of elections.

4. The multiple changes between the proposed and final versions of the VVSG 2.0 that are the focus of Plaintiffs' claims in this action implicate aspects of voting system technology that are complex in certain respects and may be elucidated through oral argument.

5. In accordance with LCvR 7(m), counsel for Plaintiffs conferred with counsel for Defendant. Defendant takes no position on this motion.

6. A proposed order is attached.

Dated: March 1, 2022

Respectfully submitted,

/s/ Caroline L. Wolverton

---

Matthew R. Nicely  
D.C. Bar No. 430567  
Caroline L. Wolverton  
D.C. Bar No. 496433  
AKIN GUMP STRAUSS HAUER & FELD LLP  
2001 K Street, N.W.  
Washington, D.C. 20006  
Tel: (202) 887-4000

/s/ Ronald Fein

---

FREE SPEECH FOR PEOPLE  
Ronald Fein  
D.D.C. Bar No. MA0012  
rfein@freespeechforpeople.org  
John Bonifaz  
jbonifaz@freespeechforpeople.org  
Courtney Hostetler  
chostetler@freespeechforpeople.org  
1320 Centre Street, Suite 405  
Newton, MA 02459  
Tel: (617) 244-0234

*Counsel for Plaintiffs*