

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

**David Rowan, Donald Guyatt,  
Robert Rasbury, Ruth  
Demeter, and Daniel Cooper,**

Petitioners,

vs.

**Brad Raffensperger**, Secretary  
of State of the State of Georgia

Respondent,

and

**Marjorie Taylor Greene,**

Intervenor Respondent

Case No. 2022CV364778

**Petitioners’  
Notice of Appeal**

Notice is hereby given that petitioners David Rowan, Donald Guyatt, Robert Rasbury, Ruth Demeter, and Daniel Cooper appeal to the Georgia Supreme Court from the final order entered in this case on July 25, 2022. The Supreme Court has exclusive jurisdiction in all “cases of election contest.” Ga. Const. Art. VI, § VI, ¶ II(2). And a challenge to

candidate qualifications, such as this one, is an “election contest.” See *Cook v. Bd. of Registrars of Randolph Cnty.*, 291 Ga. 67, 71 (2012).

The documents identified with an X on the attachment to this notice may be omitted from the record on appeal. A transcript of the hearing held in this matter on July 18 should be included with the record on appeal.

Respectfully submitted this 28th day of July, 2022.

**/s/ Bryan L. Sells**

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\*\* Application for admission pro hac vice forthcoming

## **Certificate of Service**

I hereby certify that on July 28, 2022, I served the foregoing document on the parties by United States mail, first-class postage prepaid, on the following attorneys of record for the parties:

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https://researchga.tylerhost.net/CourtRecordsSearch/ViewCasePrint/2533163506df517f896a375de0be123d

Case Information

David Rowan,Donald Guyatt,Robert Rasbury,Ruth Demeter,Daniel Cooper VS. Brad Raffensperger

2022CV364778

|                         |                 |                       |                 |
|-------------------------|-----------------|-----------------------|-----------------|
| Location                | Case Category   | Case Type             | Case Filed Date |
| Fulton - Superior Court | Civil           | ADMINISTRATIVE APPEAL | 5/16/2022       |
| Judge                   | Case Status     |                       |                 |
| BRASHER, CHRISTOPHER    | Closed (Closed) |                       |                 |

Parties<sup>9</sup>

|            |                         |                                      |
|------------|-------------------------|--------------------------------------|
| Type       | Name                    | Attorneys                            |
| DEFENDANT  | Brad Raffensperger      | CHARLENE R SWARTZ, ELIZABETH VAUGHAN |
| INTERVENOR | MARJORIE TAYLOR GREEENE | David F. Guldenschuh                 |
| INTERVENOR | MARGARET TAYLOR GREENE  | David F. Guldenschuh                 |
| INTERVENOR | MARJORIE TAYLOR GREENE  | David F. Guldenschuh                 |
| PLAINTIFF  | Daniel Cooper           | BRYAN SELLS                          |
| PLAINTIFF  | Ruth Demeter            | BRYAN SELLS                          |
| PLAINTIFF  | Donald Guyatt           | BRYAN SELLS                          |
| PLAINTIFF  | Robert Rasbury          | BRYAN SELLS                          |
| PLAINTIFF  | David Rowan             | BRYAN SELLS                          |

Hearings<sup>1</sup>

|                    |               |       |          |        |
|--------------------|---------------|-------|----------|--------|
| Date/Time          | Hearing Type  | Judge | Location | Result |
| 7/18/2022 09:30 AM | ORAL ARGUMENT |       |          |        |

Events<sup>35</sup>

|             |        |                               |   |                                |
|-------------|--------|-------------------------------|---|--------------------------------|
| Date        | Event  | Type                          | Comments  | Documents                      |
| 5/16/2022   | Filing | Plaintiff's Original Petition | Petition for Judicial Review  | PETITION.pdf                   |
| 5/16/2022   | Filing | CASE INITIATION FORM          | ADMINISTRATIVE APPEAL   | CASE INITIATION FORM.pdf       |
| X 5/17/2022 | Filing | ENTRY/NOTICE OF APPEARANCE    | Notice of Appearance of Counsel   | ENTRY/NOTICE OF APPEARANCE.pdf |
| X 5/17/2022 | Filing | WAIVER OF SERVICE             | Waiver of Service of Summons  | WAIVER OF SERVICE.pdf          |
| X 5/20/2022 | Filing | MOTION                        | MOTION TO INTERVENE AS RESPONDENT   | MOTION.pdf                     |
| X 5/20/2022 | Filing | ENTRY/NOTICE OF APPEARANCE    | Notice of Appearance of Counsel for Respondent  | ENTRY/NOTICE OF APPEARANCE.pdf |
| 5/25/2022   | Filing | NOTICE                        | Notice of Manual Filing of Multimedia Files that are Part of the Administrative Record              | NOTICE.pdf                     |
| 5/26/2022   | Filing | RECORD OF BOARD OF REVIEW     | Administrative Record Part 2  | RECORD OF BOARD OF REVIEW.pdf  |
| 5/26/2022   | Filing | RECORD OF BOARD OF REVIEW     | Administrative Record Part 1  | RECORD OF BOARD OF REVIEW.pdf  |
| X 5/27/2022 | Filing | RESPONSE                      | Petitioners' Response in Opposition to Marjorie Taylor Greene's Motion to Intervene as a Respondent | RESPONSE.pdf                   |
| X 6/2/2022  | Filing | APPLICATION                   | Bonifaz application for admission pro hac vice  | APPLICATION.pdf                |
| X 6/2/2022  | Filing | APPLICATION                   | Hostetler application for admission pro hac vice  | APPLICATION.pdf                |
| X 6/2/2022  | Filing | APPLICATION                   | Horton application for admission pro hac vice   | APPLICATION.pdf                |
| X 6/2/2022  | Filing | APPLICATION                   | Fein application for admission pro hac vice   | APPLICATION.pdf                |

| Date                   | Event   | Type                         | Comments   | Documents  |
|------------------------|---------|------------------------------|--|--|
| <del>X</del> 6/7/2022  | Filing  | RESPONSE                     | Response to Motion to Intervene as Respondent  | RESPONSE.pdf   |
| <del>X</del> 6/10/2022 | Filing  | ORDER                        | Granting Motion to Intervene   | ORDER.pdf  |
| <del>X</del> 6/10/2022 | Filing  | MOTION                       | Motion for Expedited Briefing Schedule and Hearing on the Petition for Judicial Review   | MOTION.pdf   |
| <del>X</del> 6/13/2022 | Filing  | RESPONSE                     | Petitioners' Response to the Respondent's Motion to Expedite   | Petitioners' Response to the Respondent's Motion to Expedite.pdf |
| <del>X</del> 6/13/2022 | Filing  | ORDER                        | Shortening Response Time   | ORDER.pdf  |
| <del>X</del> 6/13/2022 | Filing  | ENTRY/NOTICE OF APPEARANCE   | NOTICE OF APPEARANCE AND CERTIFICATE OF SERVICE  | ENTRY/NOTICE OF APPEARANCE.pdf                                   |
| 6/13/2022              | Filing  | Answer                       | Intervenor-Respondent's Answer to Petitioner's Answer to Petitioner's Petition for Judicial Revue  | ANSWER/RESPONSE.pdf  |
| <del>X</del> 6/13/2022 | Filing  | RESPONSE                     | INTERVENOR-RESPONDENT'S RESPONSE TO STATE RESPONDENT'S MOTION FOR EXPEDITED BRIEFING SCHEDULE AND HEARING ON THE PETITION FOR JUDICIAL REVIEW  | RESPONSE.pdf   |
| <del>X</del> 6/14/2022 | Filing  | APPLICATION FOR PRO HAC VICE | VERIFIED APPLICATION FOR PRO HAC VICE ADMISSION  | APPLICATION FOR PRO HAC VICE.pdf                                 |
| <del>X</del> 6/15/2022 | Filing  | SCHEDULING ORDER             | Briefing Schedule and Hearing Date   | SCHEDULING ORDER.pdf   |
| <del>X</del> 6/23/2022 | Filing  | APPLICATION                  | VERIFIED APPLICATION FOR PRO HAC VICE ADMISSION  | APPLICATION.pdf  |
| 6/24/2022              | Filing  | RESPONSE                     | Response to Petition for Judicial Review   | RESPONSE.pdf   |
| 6/24/2022              | Filing  | BRIEF                        | BRIEF IN RESPONSE TO PETITION FOR JUDICIAL REVIEW  | BRIEF.pdf  |
| 7/11/2022              | Filing  | OBJECTIONS                   | Objection to Affirmative Defenses, Counterclaims, and Cross-claims by Intervenor-Respondent Marjorie Taylor Greene   | OBJECTIONS.pdf   |
| <del>X</del> 7/15/2022 | Filing  | MOTION                       | Petitioners' Motion to Correct the Caption   | Petitioners' Motion to Correct the Caption.pdf                   |
| 7/15/2022              | Filing  | REPLY                        | Petitioners' Reply in Support of their Petition for Judicial Review  | REPLY.pdf  |
| 7/15/2022              | Filing  | RESPONSE                     | Intervenor-Respondent Marjorie Taylor Greenes Response to Secretary of State Raffenspergers Objection to Intervenor-Respondent Marjorie Taylor Greenes Affirmative Defenses, Counterclaims, and Cross-Claims | RESPONSE.pdf   |
| <del>X</del> 7/15/2022 | Filing  | MOTION TO STRIKE             | Petitioners' Motion to Strike the Intervenor's Answer  | MOTION TO STRIKE.pdf   |
| 7/18/2022              | Hearing | ORAL ARGUMENT                | -  | -  |
| <del>X</del> 7/18/2022 | Filing  | ORDER                        | Granting the Petitioner's Motion to Correct the Caption  | ORDER.pdf  |

7/25/2022

Filing

FINAL ORDER

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FINAL ORDER.pdf

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