

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BENEZET CONSULTING, LLC, <u>et al.</u>,	:	
Plaintiffs	:	
	:	No. 1:16-cv-00074
	:	
v.	:	(Judge Kane)
	:	
KATHY BOOCKVAR and	:	
JONATHAN MARKS,	:	
Defendants	:	

ORDER

AND NOW, on this 13th day of January 2020, upon consideration of Defendants' motion for summary judgment (Doc. No. 41) and Plaintiffs' motion for partial summary judgment (Doc. No. 44) and in accordance with the Memorandum entered concurrently with this Order, **IT IS**

ORDERED THAT:

1. Both motions (Doc. Nos. 41, 44) are **DENIED AS MOOT** as to Plaintiff's challenges to the Notarization Requirement, as set forth in Counts III, IV, and VIII of the second amended complaint (Doc. No. 25); and
2. Counts III, IV, and VIII of the second amended complaint (Doc. No. 25) are **DISMISSED AS MOOT**;
3. Plaintiffs' motion for summary judgment (Doc. No. 44) is **GRANTED** as to Count II of Plaintiffs' second amended complaint (Doc. No. 25), and the Clerk of Court is directed to enter judgment in favor of Plaintiffs and against Defendants as to Count II of the second amended complaint (Doc. No. 25);
4. Defendants are enjoined from enforcing the state residency requirement for witnesses of nomination petitions, set forth in 25 P.S. § 2869, as to Plaintiffs Benezet Consulting, LLC and Trenton Pool, for purposes of the 2020 Pennsylvania Republican primary election for President of the United States;
5. Plaintiffs' motion for summary judgment (Doc. No. 44) is **DENIED** as to Count I of the second amended complaint (Doc. No. 25);
6. Defendants' motion for summary judgment (Doc. No. 41) is **DENIED** as to Count II of the second amended complaint (Doc. No. 25) and **GRANTED** as to Counts I, V, VI, and IX of the second amended complaint (Doc. No. 25), and the

Clerk of Court is directed to enter judgment in favor of Defendants and against Plaintiffs as to Counts I, V, VI, and IX of the second amended complaint (Doc. No. 25);

7. Both motions (Doc. Nos. 41, 44) are **DENIED AS MOOT** as to Counts VII and X of Plaintiffs' second amended complaint (Doc. No. 25);
8. Counts VII and X of Plaintiffs' second amended complaint (Doc. No. 25) are **DISMISSED AS MOOT**; and
9. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania