

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

STEVEN WAYNE FISH, et al., on behalf)
of themselves and all others similarly)
situated,)

Plaintiffs,)

v.)

KRIS KOBACH, in his official capacity as)
Secretary of State for the State of Kansas, et)
al.,)

Defendants.)
_____)

Case No. 16-2105-JAR-JPO

ORDER

On September 26, 2016, this Court issued an Order to Show Cause Why Defendant Kobach Should Not Be Held in Contempt (Doc. 222).

Since that time the parties have agreed to the following Interim Agreement:

1. Defendant will instruct the county election officials to send out a new notice that unequivocally advises covered voters that they “are deemed registered and qualified to vote for the appropriate local, state, and federal elections for purposes of the November 8, 2016, general election, subject only to further official notice.” A copy of this notice will be submitted by 9:00 am September 30, 2016, for the Court’s review and approval.
2. For the purposes of the November 8, 2016, general election, covered voters will be entitled to vote using standard ballots rather than provisional ballots at polling places on Election Day or when they request advance mail-in ballots.

3. Defendant will update the “Voter View” website so that covered voters are listed as registered to vote in the same way that other registered voters are displayed.
Defendant will implement these changes as soon as possible but in any event before October 12, 2016.
4. Plaintiffs agree for purposes of the November 8, 2016 General Election that Defendant may retain a separate coding system to identify covered voters within the Secretary of State’s internal database of registered voters (“ELVIS system”).
5. Plaintiffs agree that for purposes of the November 8, 2016 General Election that, in counties that use paper poll books, covered voters may appear on a separate official list of registered voters (the “secondary list”) and/or a supplemental poll book. In such counties, poll workers will be instructed that, in the case of any voter who appears at the polling place and whose name does not appear in the principal poll book, they must carefully check both the secondary list of registered voters and/or the supplemental poll book.

In light of this Interim Agreement, the Court **FINDS MOOT** Plaintiffs’ Motion to Enforce Preliminary Injunction; for Order to Show Cause Why Defendant Shall not be Held in Contempt; and for Expedited Briefing and Hearing (Doc. 220), and **CANCELS** the Show Cause Hearing set for September 30, 2016. The Court further directs the parties to **FILE A STATUS REPORT** regarding compliance with these steps by October 12, 2016.

IT IS SO ORDERED.

Dated: September 29, 2016

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE