

IN THE SUPREME COURT)

Action No. 09 SSC 007)

Taylor Holgate,)
Marc Seelinger)

Plaintiffs)

versus)

Peter Gillooly,)
Chair, Board of Elections)

Defendant)

ORDER JOINING
09 SSC 005 AND
09 SSC 006

I. BACKGROUND

On February 11, 2010, Plaintiffs, Taylor Holgate and Marc Seelinger, separately notified this Court of their intent to bring separate actions against Board of Elections Chair, Peter Gillooly. In their complaints, Ms. Holgate and Mr. Seelinger alleged the following:

- (1) Students voting in District 1, in Mr. Seelinger’s complaint, and in District 5, in Ms. Holgate’s complaint, Student Congress elections were unable to vote “during the student body election held on February 9, 2010;”
- (2) Mr. Gillooly failed to request “a letter confirming that computer systems [were] acceptably secure” from Information Technology Services (ITS) as required by VI SGC § 302(H); and
- (3) The Board of Elections failed “to hold a meeting or contact candidates following the revelation of voting issues to determine whether the integrity of the election had been violated” as outlined in VI SGC § 403.

Ms. Holgate also alleges that students who were supposed to vote in District 6 voted in the District 5 Student Congress election. Other than Ms. Holgate’s additional claim and each claim arising in a separate Student Congress election, District 5 and District 1 respectively, both complaints are factually and legally identical. Given the similarity, the Chief Justice requested that Plaintiffs allow their claims to be joined into a single action, 09 SSC 007. Both Ms. Holgate and Mr. Seelinger have consented to joinder.

II. ORDER

ACCORDINGLY,

Plaintiff's individual suits against Defendant, 09 SSC 005 and 09 SSC 006, are hereby combined and re-captioned as 09 SSC 007;

Defendant is hereby ordered to respond to Plaintiffs' complaints in a single answer to be filed with this Court no later than 5 pm, Sunday, February 14, 2010.

This Order shall not be construed to require Ms. Holgate to abandon her separate claim that students voted in the wrong Student Congress election.

This Order shall not be construed to permit Mr. Seelinger to adopt Ms. Holgate's separate claim that students voted in the wrong Student Congress election.

Done this 13th day of February 2010, at 8:30 p.m.

/s/Emma J. Hodson
Emma J. Hodson, C.J.
for the Court