

## Democratic, Republican Legal Teams Prepare to Square Off Over Ballot Disputes

Eighteen years after the 2000 election was litigated into a win for George W. Bush, the shadow of that historic race has prompted Georgia's Democratic and Republican parties once again to marshal legal teams.

As early as 2002, Atlanta attorney Randy Evans (now U.S. ambassador to Luxembourg) and Stefan Passantino (who recently left his job as deputy White House counsel to join former White House chief of staff Reince Priebus' law firm) organized teams of Republican lawyers to be ready to litigate close races. The teams they put in place each election cycle also represented GOP interests in legal wrangling over the availability and validity of ballots, precinct operations, vote counting and other issues arising from the state's election laws.

This year, **Vincent Russo**, a partner with The Robbins Law Group and the state GOP's deputy general counsel, is coordinating the Republican Party efforts. Russo, who represented Mary Norwood when she sought a recount after losing the Atlanta mayoral race to Keisha Lance Bottoms by 832 votes, is also counsel to Secretary of State Brian Kemp's Republican gubernatorial campaign.

Before joining Kemp's gubernatorial campaign, Russo served as executive counsel to both Kemp and former Secretary of State Karen Handel, who is running to retain her seat in the U.S. House of Representatives. Handel beat Democrat John Ossoff in a squeaker special election last year.

Russo's legal team will face off against a team of Democratic lawyers led by state Democratic Party voter protection director Sara Ghazal. Before joining the state party apparatus, Ghazal was associate director of The Carter Center, founded by former President Jimmy Carter.

On Monday, Russo said he and Robbins partner **David Dove**, who also worked for Kemp as the secretary of state's chief of staff and legal counsel, are coordinating the Republican legal effort, which includes about 35 lawyers across the state. Russo has also enlisted GOP legal counsel Anne Lewis and Bryan Tyson, both partners at Atlanta's Strickland Brockington Lewis; Evans' son, Jake, an associate at Atlanta's Holland & Knight; Doug Chalmers, a partner at Chalmers Burch & Adams and immediate past president of the Georgia chapter of the Republican National Lawyers Association; and former state Rep. Edward Lindsey of Dentons. All are election litigation veterans.

"The big picture here is to insure we have fair elections," Russo said. "We want to make sure all eligible voters who are able to vote get to vote, and any individuals who are not eligible voters are not allowed to cast a ballot."

That could include challenging voters who should be casting provisional ballots rather than regular ballots or attempting to vote twice, or putting a stop to candidates or their surrogates caught campaigning within 150 feet of a polling place. Other issues may surround any need to keep polls open late, or interventions if Democrats take election matters to court.

Russo said the state GOP has designated 35 state poll watchers, most of them lawyers, who will report election anomalies to him and other team members on call. "If the party has to intervene in any litigation, we are prepared to do that," he said.

In extremely close political races, Russo said, the team "would assess each one on a case-by-case basis" to decide whether to initiate or participate in a challenge. We would obviously assess any irregularities to determine whether there was grounds for an election contest.

State Democratic Party spokesman Seth Brinkman said that Washington law firm Sander Reiff Lamb Rosenstein & Birkenstock has been retained and is on call to handle election matters. Senior counsel Dara Lindenbaum, formerly associate counsel with the Voting Rights Project at the Lawyers' Committee for Civil Rights Under Law, will be on the ground in Georgia, Brinkman said.

Atlanta attorney David Dreyer, a partner at Dreyer & Sterling and a state representative who chaired the state Democrats' legal team in 2014, said their side will staff a "legal boiler room" from 6 a.m. Tuesday until the polls close to troubleshoot problems at the polls statewide.

Dreyer said the team has a number of legal forms he drafted in 2014 in order to quickly file emergency motions if a court order is sought if a legal issue arises at the polls. Dreyer said the team includes more than 30 lawyers, including the state party's longtime legal counsel, Mike Jablonski; and David Worley of Atlanta's Evangelista Worley, the only Democratic member of the state Board of Elections.

They, Dreyer said, "have more than 50 years of voter protection experience between them."