

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



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October 21, 2008

Ms. Alissa Greer
Case Manager, Hon. Stephen J. Murphy, III
United States District Court
Eastern District of Michigan
Theodore Levin US Courthouse
231 W. Lafayette Blvd., Room 235
Detroit, Michigan 48226

Re: *USSA, et al v Secretary of State, et al*
USDC Case No 08-cv-14019.

Dear Ms. Greer:

The State Defendants are in receipt of Plaintiffs' counsel's letter indicating that they intend to file a response on Thursday, October 23, 2008, in opposition to Defendants' Motion for Stay Pending Appeal that was filed with the Court on Friday, October 17, 2008, and thus electronically transmitted to Plaintiffs' counsel at the same time.

Because the State Defendants moved for immediate consideration of their Motion for Stay, and intend to appeal immediately and seek a stay at the United States Court of Appeals for the Sixth Circuit should this Court deny the motion, the State Defendants respectfully submit that the Court should decide the motion for stay *forthwith*, with or without any response from Plaintiffs. Plaintiffs will have an opportunity to respond to virtually the same motion for stay once it has been filed with the Sixth Circuit. The State Defendants simply seek the expedited consideration of their motion that the Court accorded Plaintiffs' motion for preliminary injunction, particularly where very few days remain until the election.

Should you have any questions, please feel free to contact me directly at 517-241-5037.

Very truly yours,

s/Heather S. Meingast
Heather S. Meingast

HSM/lisa

cc: Matthew J. Lund
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Deborah Kovsky-Apap
Michael J. Steinberg
Kary L. Moss
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