

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2020-321

RAYLA CAMPBELL, CAROLINE COLARUSSO, JULIE HALL, HELEN BRADY on
behalf of themselves and others similarly situated

v.

WILLIAM FRANCIS GALVIN, in his
Official Capacity as Secretary of the Commonwealth
of Massachusetts,

RESERVATION AND REPORT

The petitioners, candidates seeking to appear on the September 1, 2020, State primary election ballot, filed this emergency petition seeking various relief. As of the date of this order, Petitioner Helen Brady is the only remaining petitioner in the case.¹ In an order dated June 11, 2020, this court stayed this matter as to Petitioner Brady pending the resolution of objections to her nomination papers filed with the State Ballot Law Commission (SBLC) by Leon Arthur Braithwaite, II, the Vice Chair of the Massachusetts Democratic State Committee and a registered voter in the district for which Brady is seeking election.

As alleged by Brady, the SBLC has since entered a decision upholding Braithwaite's objections against Brady's nomination papers, determining that the process did not comply with this court's decision in Goldstein v. Secretary of State, 484 Mass. 516 (2020). Brady has sought review of that decision in the Suffolk Superior Court. Currently before this court is a motion to

¹ This court dismissed Petitioner Campbell from the case because she was unable to obtain enough signatures to meet the modified signature threshold of 1,000 signatures, pursuant to Goldstein v. Secretary of State, 484 Mass. 516 (2020). See Interim Order dated June 2, 2020. The court subsequently allowed a motion to dismiss the petition as moot with respect to Petitioners Colarusso and Hall, as those two petitioners have qualified for placement on the ballot. See Interim Order dated June 11, 2020.

transfer the Suffolk Superior Court matter to this court pursuant to G. L. c. 211, § 4A, and consolidate it with the existing petition. In addition, Braithwaite and the Massachusetts Democratic Party (MDP) have sought to intervene.

Because review of the SBLC's decision is inextricably intertwined with the existing petition, and because time is of the essence in this matter, I hereby grant the motion to transfer the Suffolk Superior Court matter to this court and to consolidate it with Brady's pending petition for extraordinary relief. I also grant the motion to intervene of Braithwaite and the MDP. Moreover, because the appeal of the SBLC's ruling raises significant legal issues in connection with the implementation of the Goldstein opinion, supra, that are appropriately decided by the full court, I hereby exercise my discretion to reserve and report the consolidated matter to the full court for decision.

Brady shall be deemed the appellant, and the respondent and intervenors shall be deemed the appellees. Because time is of the essence in this matter, Brady shall file a complete copy of the administrative record before the SBLC in the full court by 5:00 p.m. on Tuesday, July 7, 2020. The parties shall also prepare and file in the full court a comprehensive statement of agreed facts necessary to resolve the issues raised by the petition. The statement shall be prepared in time for inclusion in the parties' record appendix. The statement of agreed facts, the parties' record appendix, and the parties' briefs shall be filed with the Clerk of the Supreme Judicial Court for the Commonwealth by 5 p.m. on Thursday, July 9, 2020. If the full court determines that a hearing is necessary, it will be held on Friday, July 10, 2020, at a time to be determined.

Dated: July 2, 2020

By the Court, (Kafker, J.)

/s/Maura S. Doyle
Maura S. Doyle, Clerk