

Full docket text:

MINUTE ORDER granting [66] emergency motion to enforce and monitor compliance with preliminary injunction. It is hereby ORDERED that by no later than 9:00 AM on October 28, 2020, Defendants shall issue a one-page notice to Area Vice Presidents, Managers of Operations Support, and any other United States Postal Service ("USPS") personnel who were previously informed about the guidelines issued on July 14, 2020, by USPS Vice President of Logistics, Robert Cintron, regarding the use of late and extra trips: (1) "The guidelines issued on July 14, 2020, by USPS Vice President of Logistics, Robert Cintron, regarding the use of late and extra trips are rescinded;" and (2) "USPS personnel are instructed to perform late and extra trips to the maximum extent necessary to increase on-time mail deliveries, particularly for Election Mail. To be clear, late and extra trips should be performed to the same or greater degree than they were performed prior to July 2020 when doing so would increase on-time mail deliveries. Any prior communication that is inconsistent with this instruction should be disregarded." It is FURTHER ORDERED that by no later than 9:00 AM on October 29, 2020, Defendants shall issue a one-page notice to, or deliver a Stand-Up Talk to, all USPS personnel who may have job responsibilities related in any way to late and extra trips, stating that: "Late and extra trips will be approved to the maximum extent necessary to increase on-time mail deliveries, particularly for Election Mail. Any prior communication that is inconsistent with this should be disregarded. To be clear, late and extra trips will be approved to the same or greater degree than they were performed prior to July 2020 when doing so would increase on-time mail deliveries." It is FURTHER ORDERED that by no later than 9:00 AM on October 29, 2020, Defendants shall distribute, in the same form and to the same individuals who were previously advised about the need to "ensure that completed ballots reach the appropriate election official by the state's designated deadline," a list of state-specific statutory ballot receipt deadlines, so that USPS managers and employees can implement the Election Mail guidance that Defendants have recently issued. The parties shall confer and agree on the form and substance of the list. It is FURTHER ORDERED that beginning October 28, 2020 and until further order of the Court, Defendants shall file with the Court by 10:00 AM each day: (1) updated data on the number of extra and late trips performed the preceding day, at the Nation, Area, and District level, including any available data that is specific to Election Mail, to the maximum extent feasible; (2) updated data on the percentage of on-time deliveries at the Nation, Area, and District level, including any available data that is specific to Election Mail to the maximum extent feasible; and (3) any other reports generated after the date of this Order and produced to Congress, other courts, or other litigants. It is FURTHER ORDERED that beginning October 28, 2020 and until further order of the Court, the Court schedules a daily status conference at 3:00 PM via VIDEO TELECONFERENCE. The parties shall contact Mr. Mark Coates, the Courtroom Deputy Clerk, for the dial-in information. Signed by Judge Emmet G. Sullivan on 10/27/2020. (lcegs3)