

**UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ROBERT DASCOLA,

Plaintiff,

vs.

Case No. 2:14-cv-11296-LPZ  
Hon. Lawrence P. Zatkoff

CITY OF ANN ARBOR and  
JACQUELINE BEAUDRY,  
ANN ARBOR CITY CLERK,

Defendants,

and

SECRETARY OF STATE RUTH  
JOHNSON,

Intervenor-Defendant.

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**ORDER**

On July 17, 2014, the Court required the City of Ann Arbor and Ann Arbor City Clerk Jacqueline Beaudry (“Defendants”) to Show Cause why this Court should not find Defendants in contempt of court for failing to adhere to the Court’s May 20, 2014, Opinion and Order and Judgment and for failing to inspect the Third Ward absentee primary ballots prior to delivery [dkt. 39].

Defendants timely filed a response to the Court’s Order, explaining in detail the events leading up to how Plaintiff Robert Dascola’s name was left off the Third Ward primary ballots and accepting responsibility for the mailing of the inaccurate ballots. Defendants also presented a meaningful explanation for why Defendant Ann Arbor City Clerk did not inspect the Third Ward primary ballots prior to delivery, offered apologies to all those affected, and provided that steps have been taken to minimize any damage done by mailing the inaccurate ballots.

The Court, having considered all the evidence before it, hereby accepts Defendants' explanation of the underlying events. Further, the Court finds that Defendants actions do not rise to the level of contempt of this Court.

As such, IT IS HEREBY ORDERED that the Court's Order to Show Cause [dkt. 39] is DISMISSED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff  
Hon. Lawrence P. Zatkoff  
U.S. District Court

Date: July 28, 2014