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FOR IMMEDIATE RELEASE

**Legal Team Led by David Boies and LULAC Files Lawsuits Challenging Winner-Take-All Approach to Selecting Electors in Presidential Elections**

*Plaintiffs include the largest Latino membership organization in the U.S., The League of United Latin American Citizens (LULAC) and former Massachusetts Governor William Weld.*

**New York, February 21** – A coalition of law firms led by David Boies of Boies Schiller Flexner LLP, and The League of United Latin American Citizens (LULAC) today announced the filing of four landmark lawsuits challenging the winner-take-all method states use to allocate their Electoral College votes. By magnifying the impact of some votes and disregarding others, the winner-take-all system is not only undemocratic, but it also violates the Constitutional rights of free association, political expression, and equal protection under the law. These suits aim to restore those rights nationwide.

The non-partisan effort will draw on the resources of several law firms in advancing legal challenges in two states that are solidly blue, Massachusetts and California, and two others that are solidly red, South Carolina and Texas. All four suits are designed to uphold the Constitution’s guarantee that every vote—whether for a Republican, a Democrat, or third-party candidate—will be treated equally.

“Under the winner-take-all system, U.S. citizens have been denied their constitutional right to an equal vote in Presidential elections. This is a clear violation of the principle of one person, one vote. We filed these cases in order to uphold the rights of every citizen,” said BSF Chairman David Boies, “All Americans deserve to have their votes count.”

The lawsuits were filed today on behalf of multiple plaintiffs in four states, including the largest Latino membership organization in the U.S., LULAC, which is joined in Texas by Reverend

Joseph C. Parker Jr., a community leader whose father marched with Dr. Martin Luther King Jr., and one of the state's most prominent constitutional scholars, Dr. Sanford Levinson. In California, LULAC is joined by Republican actor and comedian Paul Rodriguez. And in Massachusetts, former Republican Governor William Weld is a plaintiff.

LULAC National General Counsel Luis Vera said, "The winner-take-all system is fundamentally flawed and holds the potential to eliminate the voice of the majority vote. LULAC has always been at the forefront of the fight against voter discrimination and suppression. We are proud to lead the largest lawsuit in the country with the Boies Schiller Flexner law firm to ensure that every voice in America is counted equally in our most important political elections."

The support for these lawsuits was originally launched by EqualCitizens.US, in a crowdfunding campaign organized at [EqualVotes.us](https://EqualVotes.us). As Lawrence Lessig, Roy L. Furman Professor of Law and Leadership at Harvard, said: "The promise of a democracy is that all votes count equally. Winner-take-all denies Americans that simple ideal. If you're a Republican in California, or a Democrat in Texas, your vote for President gets counted only to be thrown away. These cases will give the courts the opportunity to apply that simple promise to the way we elect our President — and give America a President that represents the majority of us."

The lawsuits filed today do not challenge the Electoral College system established by the Constitution; rather they challenge the winner-take-all method states have chosen to select their electors. The suits aim to establish a more democratic system of voting for the President — one that counts each citizen's vote equally and that creates incentives for candidates to campaign for the votes of all Americans, not just those who live in a few battleground states.

Former Republican Governor of Massachusetts and the Libertarian Party's 2016 VP Nominee Bill Weld said: "The winner-take-all system under the Electoral College is at the heart of the unhealthy duopoly that plagues our national politics. It causes candidates and campaigns to ignore all but the 'battleground' states. It discards millions of votes for President every four years. Our lawsuits recognize and respect citizens' rights of political expression and free assembly; our lawsuits seek to require equal protection for all citizens who exercise a right that rests at the core of our country. Above all, getting rid of the winner-take-all system will help Americans enjoy a broader range of choices for President than the narrow 'either/or' choice with which they've suffered for too long."

Two of the suits filed today also seek to remedy violations of the Voting Rights Act of 1964, alleging that the winner-take-all system disenfranchises minority voters. The complaints show that the winner-take-all method has meant that the minority-preferred candidate for president has not been able to receive a single Elector since the 1970s in Texas and South Carolina, despite the fact that minority voters make up a significant portion of the electorate in each state.

Reverend Joseph C. Parker Jr. noted the significance of the cases at this moment, "I grew up in Jim Crow era Alabama watching my father, Rev. Joseph C. Parker, Sr., and his peers unwaveringly fight for justice, often in the face of great personal danger. As an attorney, minister, and pastor, I've used my callings to continue to pursue justice and equality for all. I view this lawsuit as my obligation to continue that fight and honor the work of those who came

before me. I also view it as my solemn duty to my community, my faith, my family, and generations of future voters to keep fighting for the sacred right to have every person's vote count."

In addition to the law firm Boies Schiller Flexner LLP and the Law Offices of Luis Roberto Vera, Jr. and Associates PC, the distinguished legal team bringing today's challenges to the winner-take-all system includes attorneys from law firms across the country: Hausfeld LLP, Alston & Bird LLP, Steptoe & Johnson LLP, Zelle LLP, Wittliff Cutter Austin PLLC, Guerrero & Whittle, PLLC, Richard A. Harpootlian, P.A., and Samuel Issacharoff.