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*Attorneys for Defendant Christi Jacobsen, in her
official capacity as Montana Secretary of State*

IN THE MONTANA THIRTEENTH JUDICIAL DISTRICT COURT,
YELLOWSTONE COUNTY

Montana Democratic Party and Mitch Bohn,

Plaintiffs,

vs.

Christi Jacobsen, in her official capacity as
Montana Secretary of State,

Defendant.

Cause No.: DV 21-0451

Judge: Michael Moses

**DEFENDANT'S MOTION TO
DISMISS COUNTS I, II, AND III OF
PLAINTIFFS' FIRST AMENDED
COMPLAINT**

PD

Defendant Christi Jacobsen, in her official capacity as Montana Secretary of State, moves the Court to dismiss with prejudice Plaintiff Montana Democratic Party's (MDP) claims asserted in Counts I, II, and III of the First Amended Complaint dated May 14, 2021 (FAC) under Mont. R. Civ. P. 12(b)(6). Defendant moves to dismiss with prejudice Counts II and III of the FAC in their entirety and Count I in the FAC as it relates to SB 169 and HB 176, as set forth in the brief filed contemporaneously with this motion.

Dated this 2nd day of June, 2021.

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of June, 2021, I mailed a true and correct copy of the foregoing document, by the means designated below, to the following:

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