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*Lead 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,

Western Native Voice, *et al.*,

Plaintiffs,

Montana Youth Action, *et al.*,

Plaintiffs,

vs.

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

Defendant.

Consolidated Case No. DV 21-0451

Hon. Michael Moses

**DEFENDANT'S MOTION TO
SUSPEND PRELIMINARY
INJUNCTION PENDING APPEAL**

**EXPEDITED REVIEW
REQUESTED**

Pursuant to Mont. R. App. P. 22(1)(a)(iii), Defendant Secretary of State Christi Jacobsen moves the Court to suspend the injunction it entered on April 6, 2022, against HB 176 and SB 169 during Defendant's pending appeal to the Montana Supreme Court. Additionally, the Secretary requests the Court modify the injunction it entered against the provisions of SB 169, HB 506, and HB 530 that were not challenged by the Plaintiffs in this lawsuit (i.e., HB 169 § 1, HB 169 § 3, HB 169 § 4, HB 506 § 1, HB 506, § 3, and HB 530 § 1). In support of this request, the Secretary submits the accompanying brief.

The injunction upends the status quo, imposes a severe burden on Montana's election officials, and would result in significant voter confusion regarding Montana election law at the same time Montana is preparing to conduct state-wide elections. The Court should exercise its considerable discretion—and delay these unnecessary consequences—by suspending the injunction while the Montana Supreme Court considers the Secretary's pending appeal. Expedited review of this Motion is requested because of Montana's rapidly-approaching elections. Counsel for all Plaintiffs' have been contacted and oppose this Motion.

Dated this 8th day of April, 2022.

By Dale Schowengerdt

CROWLEY FLECK PLLP

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

CERTIFICATE OF SERVICE

I, Dale Schowengerdt, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to the following on 04-08-2022:

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Electronically Signed By: Dale Schowengerdt
Dated: 04-08-2022