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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,

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 RENEWED
MOTION FOR SUMMARY
JUDGMENT**

Defendant Christi Jacobsen, in her official capacity as Montana Secretary of State, submits this Renewed Motion for Summary Judgment pursuant to Montana Rule of Civil Procedure 56(c)(3). Summary judgment is appropriate because there are no genuine issues of material fact, and Defendant is entitled to judgment as a matter of law.

Defendant respectfully requests the Court enter summary judgment in her favor on all claims Plaintiffs have pled in this consolidated docket. The factual and legal bases for Defendant's Renewed Motion for Summary Judgment are set out in detail in her Brief in Support of Defendant's Renewed Motion for Summary Judgment, which is filed concurrently with this Motion. Boiled down, the undisputed material facts at issue confirm Plaintiffs cannot carry their "heavy burden" of proving the various statutes they have challenged are "unconstitutional 'beyond a reasonable doubt.'" *Brown v. Gianforte*, 2021 MT 149, ¶ 32, 404 Mont. 269, 488 P.3d 548 (citations omitted). Defendant also has filed an Updated Statement of Undisputed Facts, and the Second Declaration of Dale Schowengerdt, with attached exhibits, in support of this Motion.

Counsel for all Plaintiffs in this matter have been contacted, and all Plaintiffs all oppose Defendant's Motion for Summary Judgment.

Dated this 3rd day of June, 2022.

/s/ 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 for Summary Judgment (Government) to the following on 06-03-2022:

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Electronically signed by Regina Grimsley on behalf of Dale Schowengerdt
Dated: 06-03-2022