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*Attorneys for Defendants*

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
 YELLOWSTONE COUNTY

<p>AMELIA MARQUEZ, an individual;          and JOHN DOE, an individual,           Plaintiffs,           v.           STATE OF MONTANA; GREGORY          GIANFORTE, in his official capacity          as Governor of the State of Montana;          the MONTANA DEPARTMENT OF          PUBLIC HEALTH AND HUMAN          SERVICES; and ADAM MEIER, in          his official capacity as the Director of          the Montana Department of Public          Health and Humant Services,           Defendants.</p>	<p>DV-21-00873           Hon. Michael G. Moses   <b>DEFENDANTS' MOTION TO          DISMISS PURSUANT TO          MONT. R. CIV. P. 12(b)(6)</b></p>
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Pursuant to Mont. R. Civ. P. 12(b)(6), Defendants move this Court to dismiss this case because Plaintiffs lack standing and they fail to state a claim upon which relief can be granted. The motion is supported by the accompanying brief.

Counsel for Defendants contacted opposing counsel, who oppose this motion.

DATED this 17th day of August, 2021.

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By: /s/ David M.S. Dewhirst  
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## CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing was delivered by email

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