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**MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT  
GALLATIN COUNTY**

<p>STEVE BARRETT, et al.,  Plaintiffs,  vs.  STATE OF MONTANA, et al.,  Defendants.</p>	<p>Case No. DV-21-581 B  Hon. Rienne H. McElyea</p>
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For their Answer to Plaintiffs' Complaint, Defendants State of Montana, Greg Gianforte, and Austin Knudsen (collectively, "Defendants") state as follows:

1. The allegations of Paragraph 1 of Plaintiffs' Complaint are arguments of counsel and purport to characterize specific bills, which speak for themselves and are the best evidence of their contents; therefore, no response is required.

2. The allegations of Paragraph 2 of Plaintiffs' Complaint are arguments of counsel and purport to characterize a specific bill, which speaks for itself and is the best evidence of its contents; therefore, no response is required.

3. Defendants lack sufficient knowledge or information to admit or deny the allegations in Paragraph 3 of Plaintiffs' Complaint and therefore deny them.

4. Defendants deny the allegations of Paragraph 4 of Plaintiffs' Complaint as stated.

5. The allegations of Paragraph 5 of Plaintiffs' Complaint are arguments of counsel and purport to characterize certain referenced policies, which speak for themselves and are the best evidence of their contents; therefore, no response is required.

6. The allegations of the first sentence of Paragraph 6 purport to characterize a specific bill, which speaks for itself and is the best evidence of its contents; therefore, no response is required. Defendants lack sufficient knowledge or information to admit or deny the remaining allegations of Paragraph 6 of Plaintiffs' Complaint and therefore deny them.

7. Defendants deny the allegations of the first sentence of Paragraph 7 of Plaintiffs' Complaint. The remaining allegations of Paragraph 7 of Plaintiffs' Complaint are arguments of counsel and purport to characterize a specific bill, which

speaks for itself and is the best evidence of its contents; therefore, no response is required.

8. The allegations of Paragraph 8 of Plaintiffs' Complaint are arguments of counsel and purport to characterize a Regents' policy, which speaks for itself and is the best evidence of its contents; therefore, no response is required.

9. Defendants lack sufficient knowledge or information to admit or deny the allegations of the first sentence of Paragraph 9 of Plaintiffs' Complaint. The remaining allegations of Paragraph 9 of Plaintiffs' Complaint are arguments of counsel and purport to characterize a University of Montana policy, which speaks for itself and is the best evidence of its contents; therefore, no response is required.

10. Defendants lack sufficient knowledge or information to admit or deny the allegations of the first sentence of Paragraph 10 of Plaintiffs' Complaint. The remaining allegations of Paragraph 10 of Plaintiffs' Complaint are arguments of counsel and purport to characterize a Montana State University policy, which speaks for itself and is the best evidence of its contents; therefore, no response is required.

#### PARTIES

11. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 11 of Plaintiffs' Complaint and therefore deny them.

12. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 12 of Plaintiffs' Complaint and therefore deny them.

13. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 13 of Plaintiffs' Complaint and therefore deny them.

14. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 14 of Plaintiffs' Complaint and therefore deny them.

15. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 15 of Plaintiffs' Complaint and therefore deny them.

16. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 16 of Plaintiffs' Complaint and therefore deny them.

17. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 17 of Plaintiffs' Complaint and therefore deny them.

18. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 18 of Plaintiffs' Complaint and therefore deny them.

19. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 19 of Plaintiffs' Complaint and therefore deny them.

20. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 20 of Plaintiffs' Complaint and therefore deny them.

21. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 21 of Plaintiffs' Complaint and therefore deny them.

22. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 22 of Plaintiffs' Complaint and therefore deny them.

23. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 23 of Plaintiffs' Complaint and therefore deny them.

24. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 24 of Plaintiffs' Complaint and therefore deny them.

25. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 25 of Plaintiffs' Complaint and therefore deny them.

26. Regarding the allegations of Paragraph 26 of Plaintiffs' Complaint, Defendant Greg Gianforte admits that he is the Governor of the State of Montana and Montana's chief executive officer. The remaining allegations of Paragraph 26 of Plaintiffs' Complaint are arguments of counsel; therefore, no response is required.

27. Regarding the allegations of Paragraph 27 of Plaintiffs' Complaint, Defendant Austin Knudsen admits that he is the Attorney General for the State of Montana. The remaining allegations of Paragraph 27 of Plaintiffs' Complaint are arguments of counsel; therefore, no response is required.

28. Defendants admit the allegations of Paragraph 28 of Plaintiffs' Complaint.

#### VENUE

29. Defendants admit the allegations of Paragraph 29 of Plaintiffs' Complaint.

30. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 30 of Plaintiffs' Complaint and therefore deny them.

31. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 31 of Plaintiffs' Complaint and therefore deny them.

32. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 32 of Plaintiffs' Complaint and therefore deny them.

33. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 33 of Plaintiffs' Complaint and therefore deny them.

34. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 34 of Plaintiffs' Complaint and therefore deny them.

35. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 35 of Plaintiffs' Complaint and therefore deny them.

36. Defendants lack sufficient knowledge or information to admit or deny the allegations of Paragraph 36 of Plaintiffs' Complaint and therefore deny them.

#### FACTS AND GENERAL ALLEGATIONS

37. Defendants deny the allegations of Paragraph 37 of Plaintiffs' Complaint.

38. Defendants deny the allegations of Paragraph 38 of Plaintiffs' Complaint.

39. Defendants deny the allegations of Paragraph 39 of Plaintiffs' Complaint.

40. Defendants deny the allegations of Paragraph 40 of Plaintiffs' Complaint.

41. The allegations of Paragraph 41 of Plaintiffs' Complaint are arguments of counsel and call for legal determinations by the Court; therefore, no response is required.

#### COUNT ONE

42. Defendants restate their responses to Paragraphs 1-41 of Plaintiffs' Complaint.

43. The allegations of Paragraph 43 of Plaintiffs' Complaint are arguments of counsel and purport to characterize the Montana Constitution, which speaks for itself; therefore, no response is required.

44. Defendants deny the allegations of Paragraph 44 of Plaintiffs' Complaint.

#### COUNT TWO

45. Defendants restate their responses to Paragraphs 1-44 of Plaintiffs' Complaint.

46. The allegations of Paragraph 44 of Plaintiffs' Complaint are arguments of counsel and purport to characterize a specific bill, which speaks for itself; therefore, no response is required.

47. Defendants deny the allegations of Paragraph 47 of Plaintiffs' Complaint.

#### DEFENSES

1. Defendants deny each and every allegation of Plaintiffs' Complaint not specifically admitted.

2. Plaintiffs' Complaint fails to state a claim upon which relief can be granted.

3. Plaintiffs' Complaint fails to state sufficient facts showing that Plaintiffs are entitled to the requested relief.

4. Plaintiffs lack standing.

5. Plaintiffs' claims are not justiciable.

6. HB 349, HB 112, HB 102, and SB 319 do not violate the Constitution of the State of Montana or Montana state law.

7. HB 349, HB 112, HB 102, and SB 319 serve and are supported by rational, legitimate, and compelling state interests.

8. HB 349, HB 112, HB 102, and SB 319 were properly and duly enacted into law by the Montana Legislature and the Governor pursuant to their legal authority under the Montana Constitution.

9. The Board of Regents does not have the legal authority alleged by the Plaintiffs.

10. The power to regulate the subject matter in HB 349, HB 112, HB 102, and SB 319 belongs to the Montana Legislature, and the authority granted to the Board of Regents by Montana law does not supersede the authority of the Montana Legislature.

11. Plaintiffs may not have joined all indispensable parties to these proceedings.

12. Defendants raise the above defenses so that they will not be waived and reserve the right to add defenses that may become apparent during discovery or to dismiss those which may later show not to apply.

WHEREFORE, Defendants respectfully pray for the following relief:

1. That Plaintiffs take nothing by their Complaint;
2. For judgment for Defendants on all counts of Plaintiffs' Complaint;
3. For costs of suit and attorneys' fees as allowed by law; and



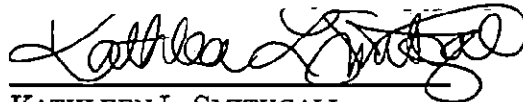
4. For any other relief the Court deems just and proper.

DATED this 17th day of March, 2022.

AUSTIN KNUDSEN  
Montana Attorney General

KRISTIN HANSEN  
*Lieutenant General*

DAVID M.S. DEWHIRST  
*Solicitor General*



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CERTIFICATE OF SERVICE

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

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Date: March 17, 2022

  
DIA C. LANG