

Lindsey R. Simon  
Aleea K. Sharp  
Agency Counsel  
MONTANA DEPARTMENT OF LABOR AND INDUSTRY  
P.O. Box 1728  
Helena, MT 59624-1728  
Telephone: (406) 444-5466  
Email: [lindsey.simon2@mt.gov](mailto:lindsey.simon2@mt.gov)  
[aleea.sharp2@mt.gov](mailto:aleea.sharp2@mt.gov)

*Attorney for Defendants Esau and MHRB*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

<p>GLACIER COUNTY REGIONAL PORT AUTHORITY,  Plaintiff,  BLACKFEET NATION,  Intervenor-Plaintiff,  vs.  LAURIE ESAU ET AL.,  Defendants.</p>	<p>Case No. CV-22-81-GF-BMM-JTJ  Judge: Hon. Brian Morris  DEFENDANTS ESAU AND MHRB'S MOTION TO DISMISS INTERVENOR'S AMENDED COMPLAINT [Doc. 50]</p>
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Defendants Laurie Esau, Commissioner of the Montana Department of Labor and Industry, and the Montana Human Rights Bureau (MHRB) move this Court to dismiss Intervenor-Plaintiff Blackfeet Nation's *Amended Complaint for*

*Declaratory and Injunctive Relief* (Doc. 50). Fed. R. Civ. P. 12(b)(6) requires dismissal of Defendant MHRB on sovereign immunity grounds and the entirety of the *Amended Complaint* on standing and ripeness grounds.

This motion is supported by the *Brief in Support of Defendants Esau and MHRB's Motion to Dismiss Intervenor's Amended Complaint*, filed contemporaneously herewith.

DATED this 31st day of January 2023.

/s/ Lindsey R. Simon  
LINDSEY R. SIMON  
Montana Department of Labor and Industry  
Attorney for Defendants Esau and MHRB

### **CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically filed the foregoing document with the clerk of the court for the United States District Court for the District of Montana, using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 31st day of January 2023.

By: /s/ Lindsey R. Simon  
LINDSEY R. SIMON  
Montana Department of Labor and Industry  
Attorney for Defendants Esau and MHRB