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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

MONTANA DEMOCRATIC PARTY,
MONTANANS FOR TESTER, MACEE
PATRITTI

Plaintiffs,

v.

CHRISTI JACOBSEN, in her official
capacity as the Montana Secretary of State,
JEFFREY MANGAN, in his official
capacity as Montana Commissioner of
Political Practices,

CV-21-119-M-DWM

Defendants.

JOINT STIPULATION OF DISMISSAL

As detailed in the parties Joint Motion for Stay of Proceedings, ECF No. 30, the court in the matter of *Forward Montana v. Montana*, Case No. ADV-2021-611, in Montana's First Judicial District Lewis and Clark County, granted the request to make its grant of plaintiffs' partial motion for summary judgment final under Montana Rule of Civil Procedure Rule 54(b) on May 4, 2022. *See* Ex. A. This ruling leaves in place a permanent injunction of Section 21 of SB 319 (the law at issue here), and on May 11, 2022, the state defendants in *Forward Montana* filed a notice that they do not intend to appeal that ruling. *See* Ex. B.

The parties in this matter accordingly jointly request that, pursuant to Federal Rule of Civil Procedure 41(a)(2), this Court enter an order dismissing this matter without prejudice and retaining jurisdiction to enforce the terms of this joint stipulation until the state's deadline to appeal in *Forward Montana* has passed.

In support thereof the parties agree that:

- Plaintiffs agree to the dismissal of all of their claims without prejudice;
- Defendants agree that, consistent with the May 11, 2022 Notice of Waiver of Right to Appeal in *Forward Montana*, the state defendants in *Forward Montana* will not seek an appeal of that Court's February

3, 2022, Order granting partial summary judgment to plaintiffs, including the portion permanently enjoining Section 21 of SB 319, *see* Ex. B; and

- Each party agrees to bear its own costs and fees.

A Proposed Order dismissing this matter on these terms is attached to this motion.

Dated: May 20, 2022

Respectfully submitted,

/s/ John M. Geise

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 20, 2022, I electronically served the foregoing via the CM/ECF system which will generate a Notice of Electronic Filing on all counsel of record.

/s/ John M. Geise