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6 Attorneys for Defendant
7 SHANNON BUSHEY, REGISTRAR OF
VOTERS FOR THE COUNTY OF SANTA
8 CLARA

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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA

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14 ELECTION INTEGRITY PROJECT
CALIFORNIA, INC., JAMES P.
15 BRADLEY, AJA SMITH, ERIC EARLY,
ALISON HAYDEN, JEFFREY
16 GORMAN, MARK REED, BUZZ
PATTERSON, MIKE CARGILE, KEVIN
17 COOKINGHAM, GREG RATHS,

18 Plaintiffs,

19 v.

20 ALEX PADILLA, CALIFORNIA
SECRETARY OF STATE, XAVIER
21 BECERRA, CALIFORNIA ATTORNEY
GENERAL, GAVIN NEWSOM,
22 GOVERNOR OF THE STATE OF
CALIFORNIA, RIVERSIDE COUNTY
23 REGISTRAR OF VOTERS REBECCA
SPENCER, LOS ANGELES COUNTY
24 REGISTRAR OF VOTERS DEAN
LOGAN, VENTURA COUNTY
25 REGISTRAR OF VOTERS MARK A.
LUNN, SAN BERNARDINO COUNTY
26 REGISTRAR OF VOTERS BOB PAGE,
MONTEREY COUNTY REGISTRAR
27 OF VOTERS CLAUDIO
VALENZUELA, SACRAMENTO
28 COUNTY REGISTRAR OF VOTERS

No. 2:21-cv-00032-AB-MAA

**AMENDED NOTICE OF MOTION
TO DISMISS**

Date: April 9, 2021
Time: 10:00 a.m.
Crtrm: 7B
Judge: Hon. André Birotte Jr.

1 COURTNEY BAILEY-KANELO,
2 ALAMEDA COUNTY REGISTRAR OF
3 VOTERS TIM DUPUIS, CONTRA
4 COSTA COUNTY REGISTRAR OF
5 VOTERS DEBORAH R. COOPER,
6 SANTA CLARA COUNTY
7 REGISTRAR OF VOTERS SHANNON
8 BUSHEY, SAN BENITO COUNTY
9 REGISTRAR OF VOTERS JOE PAUL
10 GONZALEZ, SANTA CRUZ COUNTY
11 REGISTRAR OF VOTERS GAIL L.
12 PELLERIN, FRESNO COUNTY
13 REGISTRAR OF VOTERS BRANDI
14 ORTH, ORANGE COUNTY
15 REGISTRAR OF VOTERS NEAL
16 KELLEY,

17 Defendants.

18 **TO PLAINTIFF AND THEIR ATTORNEYS OF RECORD:**

19 PLEASE TAKE NOTICE that on **April 9, 2021 at 10:00 a.m. in Courtroom**
20 **7B** of the United States District Court of the Central District of California, located at
21 First Street Court House, 350 West First Street, Los Angeles, California 90012,
22 Defendants Rebecca Spencer, Riverside County Registrar of Voters; Dean C. Logan,
23 Los Angeles County Registrar-Recorder/County Clerk;¹ Mark A. Lunn, Ventura
24 County Registrar of Voters; Bob Page, San Bernardino County Registrar of Voters;
25 Courtney Bailey-Kanelos, Sacramento County Registrar of Voters;² Tim Dupuis,
26 Registrar of Voters for the County of Alameda; Deborah Cooper, Contra Costa
27 County Registrar of Voters; Shannon Bushey, Registrar of Voters for the County of
28 Santa Clara; Joe Paul Gonzalez, San Benito County Clerk-Auditor-Recorder-Registrar
of Voters;³ Gail Pellerin, Santa Cruz County Registrar of Voters; Brandi L. Orth,

¹ Erroneously sued herein as Los Angeles County Registrar of Voters, Dean Logan.

² Erroneously sued herein as Sacramento County Registrar of Voters, Courtney Bailey-Kanelo.

³ Erroneously sued herein as San Benito County Registrar of Voters, Joe Paul Gonzales.

1 County Clerk/Register of Voters for the County of Fresno;⁴ and Neal Kelley, Registrar
2 of Voters for the County of Orange (“County Defendants”⁵) will and hereby do move
3 the Court pursuant to Fed. R. Civ. P. 12(b)(1) and Fed. R. Civ. P. 12(b)(6) for an order
4 dismissing the Plaintiffs’ Complaint on file in this action in its entirety for lack of
5 subject matter jurisdiction and for failure to state a claim upon which relief can be
6 granted.

7 This motion is based on this Amended Notice of Motion, the Memorandum of
8 Points and Authorities [Dkt. 43], the Plaintiffs’ Complaint and documents
9 incorporated by reference therein, the arguments that may be presented at the hearing
10 on this Motion, and any other matters the Court deems relevant. This motion is made
11 following the conference of counsel pursuant to Local Rule 7-3, which took place on
12 February 5, 2021.

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Dated: February 22, 2021

Respectfully submitted,

JAMES R. WILLIAMS
COUNTY COUNSEL

By: /s/ Julia B. Spiegel
JULIA B. SPIEGEL
Deputy County Counsel
Douglas M. Press, Assistant County Counsel
Mary E. Hanna-Weir, Deputy County Counsel
Kim H. Hara, Deputy County Counsel

Attorneys for Defendant
Shannon Bushey, Registrar of Voters for the
County of Santa Clara

⁴ Erroneously sued herein as Fresno County Registrar of Voters Brandi Orth.

⁵ County of Santa Clara Registrar of Voters Shannon Bushey submits this motion on behalf of all the County Defendants, except for Monterey, which contests proper service of Plaintiffs’ complaint.

1 Dated: February 22, 2021

DONNA ZIEGLER
County Counsel

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3 By: /s/ Raymond Lara

RAYMOND LARA
Senior Deputy County Counsel

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Attorneys for Defendant
Tim Dupuis, Registrar of Voters for
the County of Alameda

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Dated: February 22, 2021

SHARON L. ANDERSON
County Counsel

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By: /s/ Rebecca Hooley

REBECCA HOOLEY
Deputy County Counsel

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Attorneys for Defendant
Deborah Cooper, Contra Costa
County Registrar of Voters

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16 Dated: February 22, 2021

DANIEL C. CEDERBORG
County Counsel

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By: /s/ Kyle R. Roberson

KYLE R. ROBERSON
Deputy County Counsel

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Attorneys for Defendant
Brandi L. Orth, County Clerk/Register of
Voters for the County of Fresno

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1 Dated: February 22, 2021

RODRIGO CASTRO-SILVA
County Counsel

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3 By: /s/ Eva W. Chu

EVA W. CHU
Deputy County Counsel

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Attorneys for Defendant
Dean C. Logan, Los Angeles County Registrar-
Recorder/County Clerk

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8 Dated: February 22, 2021

LEON J. PAGE
County Counsel

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By: /s/ Rebecca S. Leeds

REBECCA S. LEEDS
Senior Deputy
Mark D. Servino, Supervising Deputy
Suzanne E. Shoai, Senior Deputy

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Attorneys for Defendant
Neal Kelley, Registrar of Voters for
the County of Orange

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16

17 Dated: February 22, 2021

GREGORY P. PRIAMOS
County Counsel

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By: /s/ Ronak N. Patel

RONAK N. PATEL
Deputy County Counsel
Attorneys for Defendant

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Rebecca Spencer, Riverside County
Registrar of Voters

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1 Dated: February 22, 2021

LISA A. TRAVIS
County Counsel

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3 By: /s/ Krista C. Whitman

KRISTA C. WHITMAN
Assistant County Counsel

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Attorneys for Defendant
Courtney Bailey-Kanelos, Sacramento County
Registrar of Voters

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8 Dated: February 22, 2021

BARBARA THOMPSON
County Counsel

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By: /s/ Joseph Wells Ellinwood

JOSEPH WELLS ELLINWOOD
Assistant County Counsel

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Attorneys for Defendant
Joe Paul Gonzalez, San Benito County Clerk-
Auditor-Recorder-Registrar of Voters

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16 Dated: February 22, 2021

MICHELLE D. BLAKEMORE
County Counsel

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By: /s/ Laura L. Crane

LAURA L. CRANE
Supervising Deputy County Counsel

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Attorneys for Defendant
Bob Page, San Bernardino County
Registrar of Voters

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1 Dated: February 22, 2021

JASON M. HEATH
County Counsel

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3 By: /s/ Melissa C. Shaw

MELISSA C. SHAW
Assistant County Counsel

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Ruby Marquez, Chief Assistant County Counsel

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Attorneys for Defendant
Gail Pellerin, Santa Cruz County
Registrar of Voters

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11 Dated: February 22, 2021

MICHAEL G. WALKER
County Counsel

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13 By: /s/ Matthew A. Smith

MATTHEW A. SMITH
Assistant County Counsel

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Attorneys for Defendant
Mark A. Lunn, Ventura County
Registrar of Voters

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