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**Attorney for Plaintiff Idaho Republican Party**

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF IDAHO**

<b>IDAHO REPUBLICAN PARTY, et.al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>Case No. 1:08-CV-00165-BLW</b>
	)	
<b>vs.</b>	)	<b>PLAINTIFF'S MOTION</b>
	)	<b>FOR SUMMARY JUDGMENT</b>
<b>BEN YSURSA, In his Official Capacity as</b>	)	
<b>Secretary of State of the State of Idaho,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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COME NOW PLAINTIFFS, by and through their attorney, John Eric Sutton, and hereby move for Summary Judgment against Defendant BEN YSURSA, in his Official Capacity as Secretary of State of the State of Idaho pursuant to Rule 56 of the Federal Rules of Civil Procedure. This motion is made on the grounds that there are no genuine issues of material fact in dispute and Plaintiff is entitled to judgment as a matter of law.

This motion is based upon the pleadings, files and record herein, the Affidavit of Norm Semanko dated October 23, 2008, the Statement of Material Facts, and the Memorandum in Support of Plaintiff's Motion for Summary Judgment submitted herewith.

Oral Argument is requested.

Dated: October 23, 2008

J.E. SUTTON & ASSOCIATES

By \_\_\_\_\_/S/\_\_\_\_\_  
John Eric Sutton  
Attorney for Plaintiffs