

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

BOB BROWN, HAILEY SINOFF, and
DONALD SEIFERT,

Plaintiffs,

vs.

CHRISTI JACOBSEN, in her official
capacity as Montana Secretary of State,

Defendant.

CV 21-92-H-PJW-DWM-BMM

ORDER

Defendant Christi Jacobsen filed a motion to dismiss or, in the alternative, to stay proceedings, (Doc. 13), and the parties filed a joint stipulated motion to incorporate arguments made in prior briefing that are applicable to the motion to dismiss, (Doc. 15).

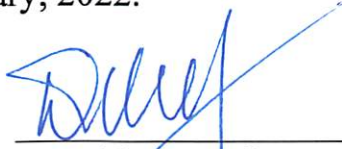
Jacobsen's motion to dismiss rests largely on the argument that the case is not ripe. (*See* Doc. 14 at 2–3.) This issue was addressed in the order granting Plaintiffs' request for a preliminary injunction, (Doc. 16 at 3–5), and it remains that the case is ripe. The remainder of Jacobsen's motion requests a stay "until the Montana Legislature fails to timely reapportion after having an adequate opportunity to do so." (Doc. 14 at 4.) This concern was also addressed in the preliminary injunction order, (*see, e.g.*, Doc. 16 at 13, 15–16), which explained

that the current map has been in place since 2003, and the option for a special session to address redistricting remains an option for the Legislature. Accordingly,

IT IS ORDERED that the joint stipulated motion to incorporate arguments made in prior briefing, (Doc. 15), is GRANTED.

IT IS FURTHER ORDERED that Jacobsen's motion to dismiss, (Doc. 13), is DENIED.

DATED this 18th day of January, 2022.


Donald W. Molloy, District Judge
United States District Court

12:15 P.M.

